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THE PHILIPPINE CLAIM TO NORTH BORNEO

A NEW territorial controversy emerged on the international scene when, in June, 1962, the government of the Philippines announced its decision to claim ownership and sovereignty over the British Crown Colony of North Borneo. Prior to this event, indications that the Philippines might take such a step had received little attention in the world press, perhaps because it was generally assumed that Great Britain had clear title to North Borneo. Moreover, it seemed likely that any dispute over North Borneo would be settled peacefully. As a result, the matter was overshadowed by other developments, such as the struggle between the Netherlands and Indonesia over West New Guinea. But the North Borneo situation no longer can be ignored, nor can it be dismissed as limited in its effects only to the countries directly concerned. The conflict over the status of North Borneo is of considerable significance in that it may well constitute an obstacle to the formation of the proposed Federation of Malaysia, which is to comprise North Borneo, Malaya, Singapore, Brunei and Sarawak.

I

Most of Borneo, which is the world's third largest island, has been controlled by Indonesia since the latter became independent in 1950. In the northern quarter of Borneo are the British possessions of Sarawak, Brunei and North Borneo. The territory of North Borneo covers an area of 29,388 square miles. It has a population of approximately 450,000, of whom some 300,000 are Moslems and 100,000 are Chinese. The principal town, Jesselton, is located 600

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miles from Manila and 1,000 miles from Singapore. Extending to within a few miles of the North Borneo coast are the Sulu Islands, which are part of, and which stretch southwestward from, the Philippines. North Borneo's resources are abundant; its exports, the total value of which exceeded that of its imports by nearly $27,000,000 in 1960, include timber, rubber, copra and hemp.

While North Borneo would be an asset to the Philippines, and although there has been an upsurge of nationalism in the islands in recent months, the Philippine claim cannot be explained as merely a manifestation of nationalism. Nor does it represent an attempt to divert the attention of Filipinos from internal problems; such difficulties exist, but they are no more serious than usual. Actually, many Filipinos have been urging their government to claim North Borneo ever since the Philippines gained independence in 1946. That this issue finally has come to a head after so many years is attributable largely to two factors.

One factor was the victory of Diosdado Macapagal in the presidential election of November, 1961. Macapagal has been involved in the North Borneo affair since 1947, when, as a division chief in the Department of Foreign Affairs, he was assigned the task of negotiating with Great Britain for the return to Philippine control of the Turtle Islands, located near North Borneo. As a result of his role in effecting the transfer of the Turtle Islands in 1948, Macapagal soon entered politics and won election to the House of Representatives of the Philippine Congress in 1949. While in Congress Macapagal drafted and co-sponsored a resolution calling upon the government to claim North Borneo; in 1950 this resolution was passed unanimously by the House and concurred in by the Senate.[1]

The second factor stemmed from the efforts of the Philippines *Free Press*, a respected and influential Manila weekly. It is noteworthy that the initial *Free Press* article in its series on the North Borneo matter appeared in its issue of December 30, 1961. On that day Macapagal was inaugurated as President, and the *Free Press* undoubtedly hoped that he would be more willing to take action on North Borneo than

[1] See N. G. Rama, "Congressman Diosdado Macapagal on North Borneo," Philippines *Free Press*, April 21, 1962, pp. 6, 90–91.

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were his predecessors. The *Free Press* also was motivated by the consideration that establishment of the Malaysian Federation would present the Philippines with a *fait accompli* with respect to the status of North Borneo. Consequently the *Free Press* launched an intensive campaign designed to spur government action, and results soon were forthcoming.

By mid-April, 1962, the House of Representatives had adopted a resolution calling for the recovery of North Borneo; the legal affairs division of the Department of Foreign Affairs had urged that a formal claim be filed; and the House Committee on Foreign Affairs had begun hearings on the matter. Finally, on June 22, President Macapagal revealed at a press conference that the Philippine government had informed Britain of its intent to formally claim North Borneo. The arguments upon which the Philippine claim is based will be discussed after a brief account of the history of North Borneo.

II

When Europeans first arrived on the Borneo scene in the sixteenth century, the two most powerful rulers in the area were the Sultan of Brunei and the Sultan of Sulu. They headed sultanates which had been established in the years 518 and 1380, respectively. What is now North Borneo was part of the Sultanate of Brunei until 1704, but in that year the Sultan of Brunei, in return for assistance from the Sultan of Sulu in quelling an insurrection, ceded North Borneo to the latter. This cession laid the foundation for the involved history of North Borneo.

By the nineteenth century European interest in North Borneo had increased greatly, particularly on the part of Spain and Britain. Britain's interest, deriving in part from the desire for a base to protect her Far Eastern trade routes, was manifested by the presence of such individuals as James Brooke. In 1841 the Sultan of Brunei, in return for annual payments, granted Brooke the territory of Sarawak and gave him the title of rajah. In 1846 Britain obtained Labuan Island from the Sultan of Brunei, and the following year ratified a treaty of friendship and commerce with Brunei. Early in 1849 Brooke paid a friendly visit to the Sultan of

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Sulu.[2] Since these developments posed a potential threat to Spanish holdings in the Philippines, Spanish forces invaded the Sulu Islands in 1851 and compelled the Sultan to sign a treaty recognizing Spanish sovereignty. Previously Spain had negotiated a treaty of friendship and commerce with Sulu in 1836.

During this period the United States also showed interest in the North Borneo area. As early as 1845, for example, the United States attempted to negotiate a treaty with Brunei. That attempt failed, but a treaty finally was agreed upon in 1850. In 1865 an American named Claude Lee Moses appeared on the scene. He claimed to be the United States consul to Brunei, but he was actually a cashiered American seaman. Moses managed to obtain from the Sultan of Brunei a ten-year lease to the North Borneo coast (territory which really belonged to the Sultan of Sulu) in return for promised yearly payments of $9,500. Moses then went to Hong Kong, where he sold the concession to two other Americans, Joseph W. Torrey and Thomas B. Harris.

Torrey and Harris then formed the American Trading Company, to which Moses agreed to extend United States "protection" in return for one third of its profits. Late in 1865 the Company set up a settlement, which it named Ellena, on the Kimanis River. As president of the firm, Torrey was granted by the Sultan of Brunei the title of rajah and sovereign power over the leased territory. The American Trading Company soon went bankrupt, however, and abandoned the Ellena settlement late in 1866. Of the three Americans involved, Harris died in North Borneo in 1866 and Moses drowned on his way to the United States in 1867.[3] Torrey, hoping to cash in on his North Borneo interests, went to the United States but failed to persuade the American government to purchase the concession. Returning to the Far East, he then encountered a key figure in the tangled history of North Borneo, a German named Gustavus von Overbeck.

When Torrey met Overbeck in 1870, the latter was Hong

[2] For a personal account see Spenser St. John, *Rajah Brooke* (New York, 1899), pp. 94–95.

[3] See K. C. Tregonning, "American Activity in North Borneo, 1865–81," *Pacific Historical Review*, Vol. XXIII, No. 4 (November 1954), pp. 357–372.

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Kong manager for the English firm of Dent Brothers. Subsequently the Austrian government, in return for assistance Overbeck had rendered it, granted him a barony and made him its Hong Kong consul. The following year, in 1874, Baron Overbeck left for Europe to try to obtain funds to buy out Torrey's interests in the American Trading Company; he thought that he could then profit from reselling North Borneo, this time to the Austrian government, which in a colonial era was without colonies. In January 1875, back in Hong Kong with money received from two friends, Overbeck purchased Torrey's interest in North Borneo for $15,000 on condition that the lease, scheduled to expire that year, would be renewed. The men then went to Brunei but were unable to persuade the Sultan to renew the concession. One reason for their failure was that their plan was opposed by Hugh Low, acting British Consul-General for Borneo.

Meanwhile hostilities between Spain and Sulu had commenced again in 1872, and the Spanish had imposed a blockade on the islands. The Sultan of Sulu thus gave his approval to William Clark Cowie, a Scotsman, to establish a trading post in North Borneo from which to run the blockade. Cowie, Borneo manager for the Singapore firm of Karl Schomburg, set up the Labuan Trading Company in Sandakan Bay as his base of operations. In 1876, on one of Cowie's trips to Hong Kong, Torrey attempted to collect from him export duties of ten per cent on goods shipped from Sandakan. After Cowie convinced Torrey that the latter's North Borneo concession was worthless, both because it had expired and also because the territory really belonged to the Sultan of Sulu, the two men decided to join in another attempt to obtain a concession in the area: Cowie was to approach the Sultan of Sulu while Torrey would again negotiate with the Sultan of Brunei. Neither mission was successful, however. When Spain ended its blockade of Sulu later in 1876, the Labuan Trading Company broke up, but Cowie remained in Borneo to engage in trade on his own.

By this time Overbeck had spent all the money his backers had advanced in 1874, so he returned to Europe for additional funds. When his original supporters refused to contribute more, he managed to obtain money from Alfred Dent of the Dent Brothers firm. Dent put up £10,000 on condition

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that he would be given sole control of any North Borneo concession. Back in the Far East again, Overbeck, in December, 1877, purchased Torrey's lapsed concession from the Sultan of Brunei for $15,000. This time Overbeck had the support of the new Lieutenant-Governor in Labuan, William H. Treacher. Overbeck, Torrey, Cowie and Treacher then went to Sulu and, in January, 1878, succeeded in obtaining a concession in North Borneo from the Sultan of Sulu.[4]

Since the manner in which they did so and the precise conditions of the concession comprise the crux of the Philippine claim to North Borneo, this episode will be discussed separately. Suffice it to say at this point that the Sultan of Sulu, then under pressure from a renewed Spanish military campaign, signed an agreement with Overbeck. Shortly afterward Sulu capitulated to Spanish forces and, in a treaty signed in July, 1878, the Sultan again acknowledged Spanish sovereignty over Sulu and its dependencies. In September a Spanish gunboat called at Sandakan, but the English administrator there refused to recognize the treaty between Spain and Sulu, and the gunboat withdrew. Spain continued to assert her claim to North Borneo but only in the form of exchanges of notes with the British government.

In Britain, meanwhile, Alfred Dent had applied for a royal charter for a company to be established in North Borneo. Since the Disraeli government was then about to fall, it took no action on the matter, and the delay led Dent to offer to sell his interests to Overbeck. When the latter could not persuade either the Austrian or the German government to buy the rights to North Borneo, Dent bought out both Overbeck and, for good measure, Torrey. In March, 1881, Dent sold his North Borneo interests to the North Borneo Provisional Association, Ltd., which he controlled; in November of that year the new Gladstone government granted the Association a royal charter (the first royal charter granted since the East India Company received one in 1600); and the British North Borneo Company was established in March, 1882.

The Spanish government protested this action, basing its stand on the treaties between Spain and Sulu of 1851 and 1878. The British government rejected the protest on the ground that a treaty of 1761 between the East India Com-

[4] See Steven Runciman, *The White Rajahs* (Cambridge, 1960), pp. 178 ff.

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pany and the Sultan of Sulu had given Britain prior rights in the area.[5] The Spanish protest was settled in 1885 when Spain relinquished all claim to North Borneo in return for British recognition of Spanish sovereignty over Sulu. In May, 1888, North Borneo became a British protectorate, with sovereign rights vested in the British North Borneo Company. The latter sold its interests to the British government in 1946, at which time North Borneo became a Crown Colony.

To complete the historical background, when the United States took over the Philippines under the terms of the Treaty of Paris of 1898, most of the Sulu Islands came under American control. More were added under a treaty of 1900 between Spain and the United States. The Turtle Islands, which the Sultan of Sulu had leased to the British North Borneo Company, were placed within Philippine boundaries by the Treaty of Paris but were administered by the Company until 1948, when they were turned over to the Philippines in a ceremony at which the Philippine government was represented by Diosdado Macapagal, now President of his country.[6]

III

The key to the Philippine claim to North Borneo involves the terms of the treaty which Baron Overbeck negotiated with Sultan Mahomet Jamal Al Alam of Sulu in 1878. In that treaty the latter agreed either to lease or to cede North Borneo for annual payments of 5,000 Malayan dollars, equivalent to approximately $1,640. The British government contends that, according to its copy of the treaty, the Sultan ceded the territory in perpetuity. The heirs of Sultan Alam maintain that the British copy is forged, and that the Sultan merely leased North Borneo. This issue will be discussed after a description of the manner in which Overbeck supposedly obtained the treaty.

[5] G. McT. Kahin, "The State of North Borneo 1881–1946," *Far Eastern Quarterly*, Vol. VII, No. 1 (November 1947), p. 43, n. 2. The Dutch government also protested the charter grant, on the basis of the Anglo-Dutch treaty of 1824; this protest was settled in 1884 by an Anglo-Dutch boundary commission.

[6] See K. C. Tregonning, *Under Chartered Company Rule* (Singapore, 1958), Chapters 1–2.

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In gaining the rights to the extensive lands of North Borneo for such meager annual payments, Overbeck allegedly resorted to threats and deceit. Specifically, he told the Sultan that North Borneo was about to be seized by the Sultan of Brunei and noted that the seizure could not be prevented because the Spanish attack on Sulu was then in progress. Arguing that Sultan Alam might as well dispose of territory which he would lose anyway, Overbeck offered annual payments of 3,000 Malayan dollars. After thinking over the offer, the Sultan countered with a request for $8,000, and they finally agreed on a figure of $5,000.

The Sultan described these negotiations in a letter to the Spanish Governor-General of the Philippines. In this letter, dated July 4, 1878, the Sultan emphasized that he had leased rather than ceded North Borneo, and that he had done so only because of threats and deception on Overbeck's part. A similar account is contained in a letter of October 18, 1878, from the Spanish governor of Jolo (the main island of the Sulu archipelago) to the Governor-General. The Sultan also forwarded to the Governor-General a copy of a letter he wrote Overbeck on July 22, 1878; in it the Sultan informed Overbeck of his desire to cancel the lease contract because Spanish sovereignty extended to North Borneo as well as Sulu.[7] Overbeck protested on the ground that his agreement with the Sultan antedated the latter's treaty with Spain of July, 1878. Overbeck, however, was unaware that, under the 1851 treaty between Spain and Sulu, the Sultan had agreed not to enter into any treaty, commercial agreement or alliance with any European power, company or individual. Thus the 1851 agreement nullified the contract which Overbeck negotiated.[8]

But the most important aspect of the Philippine claim concerns the fundamental question of whether the treaty of 1878 leased or ceded North Borneo. The heirs of Sultan

[7] N. G. Rama, "North Borneo—It's Ours!" *Free Press,* January 20, 1962, pp. 66–67; also see F. A. Geraldo, "'Tale of Chicanery,'" *Free Press,* February 10, 1962, pp. 49, 65.

[8] N. G. Rama, "North Borneo Belongs to Us!" *Free Press,* December 30, 1961, pp. 4–5 ff. The British position is that the 1851 treaty made no mention of North Borneo, and that in any case Britain had never recognized Spanish sovereignty over Sulu and its dependencies; see Tregonning, *Under Chartered Company Rule,* p. 22.

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Alam insist that North Borneo was leased, but the original copy of the contract, which belonged to Sultan Alam, was stolen under strange circumstances when his son and successor visited Singapore to try to negotiate more favorable annual rental payments.[9] For its part, the British government declares that North Borneo was ceded, but it refuses to permit any Filipino or third party to examine its copy of the contract. Prior to 1946 the British government explained that it could not force a private company—the British North Borneo Company—to open its files; yet, although the British government acquired those files when it bought out the Company in 1946, it has continued to reject requests by the Philippine government and by the heirs of Sultan Alam to inspect the British copy of the contract.[10]

In view of these facts, Sultan Alam's heirs hired lawyers to search for a copy of the missing document, as well as for any other relevant records, in the Spanish archives. In the files of the Spanish Ministry of Foreign Affairs the lawyers recently discovered a number of key papers, copies of which, certified as authentic by the Spanish government, are now in their possession. These include the treaty, the various letters mentioned above, and several other important items. All of these documents supposedly support the contention that North Borneo was leased and not ceded.

As enunciated by the *Free Press,* the Philippine argument encompasses a number of additional points. One is that the annual payments made to the heirs of the Sultan of Sulu indicate that North Borneo was leased, because payment of rental constitutes an explicit admission of ownership on the part of the lessor by the lessee. The British North Borneo Company paid the yearly rental from 1878 until the death in 1936 of Sultan Alam's successor, Sultan Jamalul Kiram. When the British High Court of North Borneo subsequently decided in December, 1939, that Sultan Kiram had eight joint heirs, the Company resumed its yearly payments. Interestingly, the 1939 decision also stated that Sultan Alam in 1878 was an international person with sovereign

[9] Sultan Alam's grandson gave an account of the theft of the treaty to an American journalist, Aleko Lilius, whose story appeared in the Graphic Section of the *Chicago Tribune* on October 14, 1945, pp. 3, 4, 8.

[10] C. I. Rivera, "More on North Borneo," *Free Press,* January 6, 1962, p. 54; Rama, "North Borneo—It's Ours!" p. 67.

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rights and could not have sold such rights to private parties; on the other hand, the High Court ruled that, although legally the Philippine government should succeed to the sovereign rights of the late Sultan Kiram, it could not do so because it no longer recognized the existence of the Sultanate of Sulu.[11] Needless to say, this ruling is open to argument.

Further evidence in support of the Philippine case is adduced by the *Free Press* from the fact that Britain did not incorporate North Borneo as a Crown Colony until July 10, 1946, a significant date in that the Philippines became independent six days previously. That the British waited until that time to incorporate North Borneo raises a suspicion among Filipinos that they were "trying to fortify a shaky position in anticipation of a claim that the Philippines, having come into its own, could now prosecute. . . ." It is also strange, the *Free Press* comments, that the British document annexing North Borneo, as printed in the official *London Gazette* on July 19, 1946, makes no reference to the 1878 contract; instead it mentions various documents unrelated to the status of North Borneo.[12]

Still another argument is that the British government honored a contract drawn up in 1903 between the Sultan of Sulu and the British North Borneo Company. This contract, a supplement to the 1878 agreement, leased the Turtle Islands to the Company for additional payments of $300 annually. As noted earlier, the Paris Treaty of 1898 placed the Turtle Islands within Philippine boundaries, but the Company continued to administer them under an agreement signed with the United States in 1907. Britain returned the islands to the Philippines in 1948 in accordance with the terms of the Anglo-American Boundary Convention of 1930. The *Free Press* maintains that by this action Britain "recognized the Sultan of Sulu as the owner of the property and as having leased it to the British North Borneo Company," [13] but it fails to show any connection between the terms pertaining to the Turtle Islands and those affecting North Borneo.

11 Rama, "North Borneo Belongs to Us!" p. 4; Rivera, *op. cit.;* Rama, "The North Borneo Case—Now or Never!" *Free Press,* March 10, 1962, pp. 74–75; Rama, "North Borneo Case—For and Against," *Free Press,* April 7, 1962, p. 70.

12 Rama, "North Borneo Belongs to Us!" p. 4.

13 *Ibid.,* p. 58.

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IV

Prior to the Philippine decision to claim North Borneo, much of the British reaction to the possibility of such a move was designed to brush aside the issue as unworthy of comment. For instance, the Governor of North Borneo, Sir William Goode, stated that the claim has "no substance to it." Donald Stephens, leader of a North Borneo political party, described the claim as "extremely silly and without any legal backing." And a commonly expressed British view is that the matter is simply a manifestation of Filipino nationalism. The *Free Press,* characterizing such beliefs as typical "patronizing and insulting" reactions of "colonial spokesmen," observed that it is not "nationalistic" to desire the return of what is legally one's own property.[14]

There are, of course, reasoned British arguments against the Philippine claim. One is that Spain surrendered all claim to North Borneo in the 1885 agreement with Britain. Another is that the United States acknowledged the British claim to North Borneo in the terms of the Anglo-American Boundary Convention of 1930. A third is that the Philippine Constitution itself recognized British sovereignty over North Borneo, in that Article 1 of the Constitution accepts the Boundary Convention of 1930, thus in effect excluding North Borneo from its delineation of Philippine territory.

The Philippine rebuttal to the first point is that the Sultan of Sulu was not a party to the 1885 agreement, and that in any case the British North Borneo Company had always recognized the sovereignty of the Sultan of Sulu over North Borneo. As for the role of the United States, the Philippine position is that the American government recognized the sovereignty of the Sultan of Sulu over North Borneo when it took over the Philippines and also in a treaty it signed with the Sultan in 1915; in that treaty the Sultan gave up his temporal power over those of his dependencies which were within American jurisdiction, but he was permitted to retain his spiritual power over those areas and also to keep both his temporal and ecclesiastical authority over those of his dependencies, including North Borneo, which were be-

[14] Rama, "North Borneo—It's Ours!" pp. 5, 72.

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yond American jurisdiction.[15]

As far as the Philippine Constitution is concerned, that document was drawn up at a time when the Philippines did not have full control over its own affairs. Just because the Philippine government was unable to assert its claim to North Borneo in 1936, when the Constitution was adopted, does not mean that it should not be able to do so at the present time. Furthermore, the constitutional clause which defines the boundaries of the Philippines was aimed at securing the inclusion of Moslem Mindanao within Philippine territory; in other words, the intent of the clause in question was not to delimit Philippine territory but rather to assure its integrity.[16]

Another series of arguments and counter-arguments involves the relationship of North Borneo to the proposed Malaysian Federation. The British contend that North Borneo, one of the units in the Federation, is bound to the other units by common ties and institutions, since all of them were or still are under British control. The Philippine response takes two lines: it questions the motives underlying establishment of the Federation, and warns of the possible harmful consequences of the Federation for North Borneo and for the Philippines; and, more positively, it endeavors to show the close bonds between North Borneo and the Philippines.

The Philippines maintains that the Federated States of Malaya and the self-governing state of Singapore are much more favorably inclined toward the idea of a Malaysian Federation than are the less advanced Bornean units of North Borneo and Sarawak, both Crown Colonies, and Brunei, a protectorate. This is because Borneans assertedly fear the dominant position which Malaya would assume in the Federation. In addition, many Borneans are said to regard the proposed Federation as a scheme to enable Britain to retain influence in the Borneo area; in place of former colonies, a new member would be added to the Commonwealth and would be an open market for Britain under the system of imperial preferences.

[15] T. M. Locsin, "The North Borneo Case—Without Hysteria," *Free Press*, February 3, 1962, pp. 3, 70–71.

[16] Rama, "North Borneo Case—For and Against," p. 70.

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From the Philippine standpoint, concern over the Federation stems not only from the adverse effect it would have on the Philippine claim to North Borneo, but also from the danger that, in the Federation, Chinese subversives in Singapore would be able to extend their activities into North Borneo, a neighbor of the Philippines. It is noted, too, that the Federation might produce increased racial tension between Malays and Chinese; since one objective of the Federation is to strengthen the position of Malays relative to that of the large Chinese population, this might prompt a Chinese appeal to Red China for protection from possible discrimination and persecution.[17]

The positive Philippine approach is that North Borneo not only is geographically closer to the Philippines than to Malaya, its inhabitants have more in common with the people of the southern Philippines—in customs, religion, race and tradition—than with the people of the proposed Federation. In this regard, the Philippines asserts that an overwhelming majority of the Moslems of North Borneo are in favor of Philippine control, which would reunite them with their co-religionists in the Sulu Islands and elsewhere in the southern Philippines. Furthermore, North Borneo would fare much better under the Philippines than it has under Britain, which allegedly has done little in the way of promoting North Bornean education and political development. Noting that "no Malayan, either in North Borneo or in Malaya, has echoed the British disavowals" of the Philippine claim to North Borneo, the argument concludes that the Philippines could do more for North Borneo than could any other southeast Asian nation.[18]

In summary, the Philippine claim to North Borneo is based upon the facts that Sulu, formerly a separate state, owned much of the present colony of North Borneo; that the latter territory was leased rather than ceded, as evidenced by

[17] A. M. Fernandez, "Threat From Malaysia?" *Free Press,* February 24, 1962, pp. 7 ff.; O. Ajala, "Inside North Borneo," *Free Press,* March 17, 1962, pp. 7, 46, 74–75; Rama, "North Borneo—It's Ours!" p. 5.

[18] See J. V. Jabat, "North Borneo Muslims Want Philippine Sovereignty," *Free Press,* January 27, 1962, p. 28; P. S. Mandi, "Muslims Want North Borneo," *Free Press,* February 10, 1962, p. 48; Jabot, "Letters on Philippine Claim to North Borneo," *Free Press,* March 31, 1962, p. 59; Ajala, *op. cit.;* Fernandez, "What to Know About North Borneo," *Free Press,* March 3, 1962, pp. 66–67.

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the actions of the British North Borneo Company in negotiating treaties with the Sultan of Sulu, paying him annual rent and greeting him with honors due a sovereign; and that, since Sulu is now part of the Philippines, the latter has succeeded to the sovereign rights of the former. It is not the Philippines which should have to prove its claim to North Borneo; rather, the burden is on Britain to demonstrate how it could have taken over sovereign rights to North Borneo from individuals who did not have, and could not have acquired, such rights. If the British are as confident of their position as they claim to be, they should welcome the opportunity to submit the matter to an international body, a solution which the Philippines would support.[19]

V

The preceding study seems to indicate that British ownership of North Borneo is at least open to question. This conclusion, however, emerges from a one-sided account, because thus far the British apparently have not felt it necessary—or have found it inexpedient—to put forth a detailed presentation of their basically defensive position. By contrast the Philippines has what appears to be a convincing case, which has been emphasized here both because of British reticence in the affair and because the Philippines is on the offensive.

The nature of the British position was brought out in the British reply to the Philippine note announcing its claim to North Borneo. In that reply the British government refused the Philippine request to enter into talks on North Borneo and rejected the Philippine claim on behalf of the people of North Borneo who, it was said, have nothing in common with the Filipino people and who will soon be members of the Federation of Malaysia.[20] The effectiveness of this kind of argument has been demonstrated by the Indonesian response to the Dutch assertion that the inhabitants of West New Guinea have nothing in common with those of Indonesia.

Apart from the merits of the Philippine claim, the principal question is whether the North Borneo issue will be

[19] Rivera, *op. cit.;* Rama, "North Borneo Belongs to Us!" pp. 64, 58; Rama, "North Borneo Case—For and Against," p. 70.

[20] See the account in the *New York Times,* June 23, 1962, pp. 1, 6.

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settled peacefully. The British refusal to discuss the matter certainly was not unexpected by the Philippine government and should not strain the normal friendly relationship between the two countries. It is much more difficult, however, to predict what the Philippine reaction may be as Britain hastens to implement plans for establishing the Malaysian Federation. This development may reveal exactly how strongly the Philippine government feels about its claim to North Borneo.

It should not be forgotten that the Philippines decided to press its claim only after a thorough study which spanned most of the period since World War II. In other words, the Philippine government presumably did not act until convinced of the validity of its claim. The strength of this conviction, combined with growing Filipino nationalism and with the threat which the Malaysian Federation poses to the Philippine claim, conceivably could provoke resort to military force. While this is unlikely, nevertheless the potential consequences of the North Borneo controversy merit close attention.

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REFLECTIONS ON THE FRENCH RESISTANCE (1940–1944)

AS THE Second World War recedes in time and becomes a proper subject for historical inquiry, it tends, like Hamlet's cloud, to take on a multitude of shapes that reflect the special concerns of its various historians. Continental scholars, for example, are inclined to give central attention to the various anti-Nazi resistance movements, either within Germany or in the occupied countries; while most Anglo-American historians have dealt with the underground in rather offhand fashion. A random check of three widely-used American textbooks on twentieth-century Europe reveals that the most generous author gives a scant page to all the resistance movements combined; the second devotes one paragraph to them; the third, not even a footnote. More striking still, a recently-published history of the Second World War by an American scholar allots less than one per cent of its space to the European resistance groups.

It is not surprising that continental scholars are shocked by our relative lack of interest, or that some of them find reprehensible motives for it. To an eminent French historian, we Americans are merely perpetuating what he calls our "systematic ignorance" of the resistance during the years of its existence—an ignorance born (he adds) of our concept of war as a thing of machines rather than men, an ignorance reinforced by a national naïveté that blocks our understanding of so complex and subtle a phenomenon.[1] "Is it an exaggeration," he asks, "to call the resistance not only the most moving aspect of the second world war. . . , but also the most significant. . . ?"

Americans are usually ready to plead guilty to the charge of national naïveté, and possibly that trait does help to explain our relative neglect of the resistance movements. But if to be sophisticated is to go to the opposite extreme, and to view the underground as the most significant aspect of the late war, then many of us are likely to remain incorrigibly

[1] Henri Michel, "La résistance européenne," in *Déportation et liberté* (March 1959), p. 22. Michel also accuses Charles de Gaulle of skimping the story of the interior resistance in his memoirs. *Revue d'histoire de la deuxième guerre mondiale,* no. 27 (July 1957), p. 40.

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naïve. One can fairly presume that even if there had been no organized resistance in any conquered country, Hitler would have lost the war—and probably almost as soon. If the resistance deserves a place in our memories and our histories, it is for other reasons, rather: for reasons that belong in the psychological and moral realm. For one thing, no historian worthy of the name can remain indifferent to any epic of human courage and sacrifice, no matter how uncertain its immediate material results. But more important still, no nation that nurtured a resistance movement emerged from the war unmarked by it. That experience, the mythology it has inspired and the conflicts it has produced, constitute one of the elements shaping the postwar era in Europe. The relative importance of its contribution is, to be sure, a matter of debate. Even the most dedicated of ex-resisters often slip into a mood of gloomy cynicism when they compare their underground aspirations with the ultimate reality. On that question, something will have to be said in the conclusion of this essay.

I

The word "resistance" was coined by a Frenchman: Charles de Gaulle first used it in his radio appeal from London on June 18, 1940. In action as well as in word, Frenchmen were in the vanguard of the European resistance; no other conquered nation except the Yugoslavs developed so large and elaborate an underground. Indeed, long before the end of the war the label "resistance"—a word that is essentially negative in connotation—had been outgrown, and might properly have been replaced by "resurgence" or "resurrection." From its tiny spontaneous beginnings, the underground grew into a vast and complex network that by 1944 could publish several hundred clandestine newspapers with a total circulation of two million, could put a quarter of a million guerrilla-type soldiers into the field, and could provide the personnel for administering liberated France. It could even propagate the myth that the great mass of Frenchmen had become resisters by 1944—a myth that seemed to open the way to a kind of national consensus hitherto unknown in modern France.

How many genuine resisters there were in France remains

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a matter of conjecture and of definition. Some estimates have ranged as high as 800,000 in the F.F.I. alone, but such a figure seems clearly excessive.[2] Since 1945 the Ministry of Veterans has issued a total of 170,000 cards to *"combattants volontaires de la résistance,"* plus another 130,000 cards to former deportees and internees.[3] When one adds the martyrs—those who did not survive to apply for hero's status—the total figure probably exceeds 400,000, or about two per cent of the total adult population. Yet one prominent underground activist challenges any such figure as a vast exaggeration. In his judgment, there were no more than 45,000 real resisters—scarcely more, he bitterly observes, than the number of Frenchmen who volunteered for the *Milice,* Vichy's version of the Gestapo.[4] These irreconcilable statistics obviously suggest quite different definitions of "resistance." The purists would rule out not only those whom they contemptuously describe as "resisters of August 32d," but also those who confined themselves to what the activists call "journalistic resistance," or who concentrated on postwar planning.[5] The rigid and narrow interpretation of the purists, however understandable in men dedicated to activism, seems just as distorted as the opposite myth that almost all the *attentistes* and most Vichy officials as well were resisters in fact or in spirit.[6] One can probably arrive at no

2 This figure was advanced by André Marty in his *L'affaire Marty* (Paris, 1955), p. 240. A more dependable estimate puts F.F.I. membership in June 1944 at 260,000, René Hostache, *Le conseil national de la résistance* (Paris, 1958), p. 412. The *Forces Françaises de l'Intérieur* were the para-military units of the French underground.

3 *Echo de la Résistance,* no. 53 (February 1960), p. 17. This periodical is published by the *Confédération nationale des combattants volontaires de la résistance,* one of the three principal organizations of ex-resisters.

4 Oral testimony in 1960 of Dr. Aron-Brunetière, who headed military intelligence services for the unified underground.

5 An exaggerated example of this debunking process is the recent whispering campaign against the former prime minister of the Fifth Republic, Michel Debré. Some prominent journalists, both French and American, now charge that Debré "didn't lift a finger during the occupation period." These critics wilfully ignore the fact that Debré published clandestine pamphlets during the war, and served as member of the National Resistance Council's *Comité Général d'Etudes,* which concerned itself with post-liberation planning.

6 Even Pierre Laval eventually ranked himself with the resisters. He told a young sub-prefect in July 1944: "Je n'incrimine pas les vrais résistants; nous en sommes aussi, des résistants. Il y a les résistants qui attaquent, et les résistants qui défendent." Hoover Institution, *La vie de la France sous l'occupation (1940–1944),* Vol. II (Stanford, 1957), p. 1091.

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fairer and more accurate estimate than that provided by the rather shaky statistics of the Veterans' Ministry: that is, about two per cent of adult Frenchmen.

II

Almost as controversial is a second question: What kinds of Frenchmen chose to enter the resistance? There is a widespread legend that it was the common people who resisted, while the old elites of bourgeois society rallied *en masse* to the Vichy standard.[7] Although no one has yet tried to make a sociological analysis of the resistance, it seems clear that the legend has only partial validity. Probably the working class did furnish most of the militants, the "infantry," of the underground, but it was the bourgeoisie that furnished most of the organizers and leaders. In the unoccupied southern zone, where the bulk of the old social elites did rally to Pétain at first, the resistance leaders were most often rebellious, alienated types—men in conflict with their own middle- or upper-class backgrounds. They were renegade aristocrats, bourgeois collectivists, Christian democrats, unorthodox professional soldiers, Jews. In the German-occupied north, however, the established elites as well as the social rebels contributed their share of prominent resisters. Indeed, the earliest and most reliable underground agents, according to one prominent ex-resister, were the intellectuals: men who fully grasped the issues involved; men who, when captured, usually stood up under torture even better than the simpler and apparently tougher working-class militants.[8]

III

The political outlook of the resistance occasions less controversy; no one can doubt that it was sharply slanted to the left. But this generalization holds better for the south than

[7] Late in 1941 the Catholic novelist François Mauriac declared, in a clandestine pamphlet, that "seule la classe ouvrière, dans sa masse, aura été fidèle à la France profanée." His remark has become a standard item of evidence in the writings of Communist pamphleteers.

[8] Oral testimony of Dr. Aron-Brunetière, 1960. See also the remarkable article by Claude Bourdet, "La politique intérieure de la résistance," in *Les Temps Modernes*, nos. 112–113 (1955), pp. 1837–1862. Bourdet was one of the leaders of the movement called *Combat*.

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for the north, since right-wing Frenchmen reacted differently in the two zones. In the unoccupied south, where almost all rightists supported Pétain in the early years, the left had the field pretty much to itself in organizing an underground. In the north, on the other hand, the presence of the Germans partially insulated rightist Frenchmen against Pétain's appeal and many conservatives joined the resistance as a kind of patriotic reflex. But the southern underground groups quickly outran those of the north in size and organizational structure, partly because Vichy's police repression was less effective than that of the German occupying forces. By 1943 the south had such a long lead that it could easily control the nationally-federated underground created in that year. The effect of this southern leadership was, of course, to reinforce left-wing domination.

There is another political aspect of the resistance that has been more commonly overlooked. Although most resisters were firm republicans, many of them before 1940 had been in revolt against the traditional republic. They shared with the men of Vichy a common antagonism to the political ineffectiveness of the old system; to the doctrine of atomized individualism so well epitomized in the writings of the Radical "philosopher" Alain; to what Stanley Hoffmann has called "the stalemate society" of prewar France.[9] Though the reform goals of the resistance and of Vichy were in many ways contradictory, there was a considerable overlap as well; the two rival factions had more in common than either of them realized or was ready to admit.

It has often been argued that this revolutionary drive of the resistance was thwarted by the gradual revival of the old political parties, whose spokesmen cleverly outmaneuvered the less experienced underground leaders. Critics have accused Charles de Gaulle and his agents of thoughtless responsibility for this dilution of resistance idealism and energy. De Gaulle (so runs the argument) was eager to impress the Anglo-Saxon powers with the breadth of his popular support and the democratic nature of his intentions, and therefore closed his mind to the disastrous effects of artificially resurrecting the moribund politicians. Henri Frenay,

[9] Hoffmann's case has been persuasively put in his article "The Effects of World War II on French Society and Politics," in *French Historical Studies*, Vol. II (1961), pp. 28–63.

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founder of the powerful resistance movement called *Combat,* was to assert in retrospect that the creation of the National Resistance Council (which included representatives of the parties as well as the spontaneous movements) had been De Gaulle's gravest political mistake.[10]

Perhaps it is true that De Gaulle could have, and should have, set up a different kind of National Resistance Council, composed of pure resisters alone. Such a decision might have increased the chances of radical renovation in postwar France—of a new political pattern, with one or two large new reformist parties playing the dominant role. The Gaullists' choice of the other path reflected in part their conviction that restoring France's prestige and grandeur must take precedence over domestic renovation. But it also reflected their hope that out of the crisis years might come a new and broader sense of national unity. If De Gaulle had put renovation first, at the expense of unity, the consequences might not have been uniquely good. Out of such a choice might have come a state of severe internal stress during the early postwar years, for it would have destroyed the myth that most Frenchmen had been good resisters, and with it the idea that the new France must be the product of broad national consensus. In a nation as fragmented as France, it was probably essential that an attempt be made to achieve that kind of unprecedented unity, even though the prospect of success was problematical.

IV

A great deal of resistance history has been written in France since 1944: more books, and better books, than one will find on any other nation's underground. First came a flood of memoirs; then a wave of dramatic spy thrillers about secret operatives and double agents; and at last, the first volumes in an impressive series of well-documented monographs.[11] Through them all run the tangled threads

[10] Marie Granet and Henri Michel, *Combat: Histoire d'un mouvement de résistance* (Paris, 1957), p. 306.

[11] Most of these studies are sponsored by the official *Comité d'histoire de la deuxième guerre mondiale,* under the direction of Secretary-General Henri Michel, himself a veteran of the resistance. About a dozen volumes have appeared to date, and at least as many more are projected. The Committee also publishes the quarterly *Revue d'histoire de la deuxième guerre mondiale,* and a more informal house organ called the *Bulletin du comité d'histoire de la deuxième guerre mondiale.*

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of several partially unsolved and exceptionally complex problems. One of these problems involves the wartime relationship between the resistance at home and the Free French movement overseas—between the activists' urge for change and the Gaullists' passion for grandeur. A second derives from the activities of British and American agents in France: Office of Strategic Services (O.S.S.), Special Operations Executive (S.O.E.) and Intelligence Service.[12] Still a third concerns the special role played by the French Communist party in the underground.

It would be beyond the scope of a brief essay to examine the pros and cons of each of these issues. Instead, one of them—the most controversial and opaque of all—will be singled out for at least an introductory discussion. Sooner or later, the Communists' role obtrudes itself upon every study of the resistance, clouding the record and stoking the passions of ex-resisters and historians alike. The controversy tends to crystallize into three problems: Did the Communists participate in the resistance before Hitler attacked the Soviet Union? Was their resistance activity no more than a cover for their attempt to get a grip on the entire underground, in order to use the latter as a springboard for the leap to power? Did the party try an abortive coup d'état at the moment of liberation, with a view to establishing a Soviet republic or a people's democracy in France?

One of the surest ways to enrage a French Communist is to date the party's resistance effort from June, 1941. Party leaders and propagandists have always insisted that their resistance began with Hitler's conquest of France, and not with Hitler's invasion of Russia. During the last couple of years, the task of buttressing this claim has been assigned to party historians. With a great display of erudition and batteries of footnotes, they seek to prove that the party issued a first call for resistance on July 7, 1940, and followed by ordering, on May 15, 1941, the creation of the resistance movement *Front National*. They admit that during 1940–41

[12] A European congress on the history of the resistance, held at Milan in March, 1961, devoted its whole program to the subject "The Allies and the Resistance." The *Comité d'histoire de la deuxième guerre mondiale* has recently acquired from the British government copies of the French files of the wartime agency called S.O.E. Access to these files should permit historians to clear up some of the controversies over British activities in occupied France.

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the party aimed its propaganda shafts against Vichy rather than against the Germans; but, they insist, that was simply because the most effective way to resist the Germans at that early stage was to destroy French illusions about Vichy.[13]

The party's case has an attractive plausibility. It would be more persuasive, however, if the party historians could destroy the texts of the alleged calls for resistance in July, 1940, and May, 1941, along with the files of the underground party press of that period. The historians are careful to quote only brief snippets from those documents, but when one reads the latter through, it becomes quite clear that the Communists' conception of resistance before June, 1941, had almost nothing in common with the usual definition. Their calls for resistance were demands for a neutralist policy in the "imperialist" war between Germany and Britain; their denunciations of Pétain were paralleled by their philippics against De Gaulle as a British lackey.[14] If one can persuade himself that Stalin in 1940–41 was a more sincere resister than Churchill, one can argue from the same premises that the Communists were the first and best resisters in France. Unfortunately, the party historians are not willing to stop there; they prefer to claim credit for the other kind of resistance as well—the simple, direct kind that consisted of rebuilding French morale and sabotaging the German occupiers.[15]

It is undoubtedly true that some individual Communists

[13] The most detailed statement of the Communist thesis may be found in Germaine Willard's *La drôle de guerre et la trahison de Vichy* (Paris, 1960). It is the first published result of the work of a party commission which, some years ago, was set up to write an official history of the French Communist party.

[14] See, for example, the clandestine issues of *L'Humanité*, dated November, 1940, and January, April 20, and June 20, 1941. For a short time after the fall of France, *Humanité* went beyond neutralism and urged fraternization with the occupying German troops, but this line was quickly abandoned save for one brief echo of it in the issue of January, 1941.

According to one former officer of German military intelligence, during 1940–41 the French Communists (perhaps without knowing the source) distributed German-printed propaganda leaflets denouncing Britain and De Gaulle. Paul Leverkuehn, *German Military Intelligence* (trans., R. H. Stevens and C. FitzGibbon [London, 1954]), pp. 109–111.

[15] For example, Willard, *op. cit.*, pp. 153–170. The Communists' newest claim is that they organized, in October, 1940, a direct-action network called the O.S. whose mission was to sabotage factories and German installations. The evidence adduced in support of this claim is sketchy in the extreme.

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entered the active resistance well before June, 1941; but it is just as certain that they did so as individuals, without the party's blessing. In fact, what they were doing was to resist their own party leaders at the same time that they resisted the Germans. Perhaps it is not sheer accident that most of these impetuous and undisciplined early resisters, after emerging from the war as heroes, soon ran into intra-party difficulties, and that few of them survive today in important party posts. More intriguing still is the hypothesis that *if* the party had really chosen to do what it now says it did—if it had resisted actively from the start—it might have come to dominate the underground movement as was the case in Yugoslavia, and it might have been in a position to install a kind of Titoist regime after the liberation. Its slow start cost the party that chance at uncontested leadership, and now drives party historians to try to alter the historical record.

Once the great divide of June, 1941, was crossed, the inner contradictions in the Communist position vanished. But a second problem then confronts us: was the party's primary goal henceforth to maneuver its way into control of the entire underground, or was it rather to prove to fellow Frenchmen that the party's neo-patriotism was genuine, by devoting Communist dynamism and courage to the common task of breaking the Nazi grip on France? Here, an answer is much more difficult; French resisters who worked intimately with the Communists after 1941 are still sharply divided today, just as they were at the time. In the southern zone especially, underground leaders believed both then and now that the Communists had abandoned their old sectarianism; and they were confident too that if an unforeseen Communist threat developed, the non-Communist resistance possessed enough dynamism to offset it. In the north, on the other hand, conflict and suspicion were much more common, and open clashes occurred right down into the liberation period.[16]

Whether the party really intended its new *Front National* to be the capstone of a nationally-federated resistance is still not capable of convincing proof or disproof. There are

[16] Some of these clashes are described in Marcel Baudot's *L'opinion publique sous l'occupation* (Paris, 1960), pp. 190–191. The generalizations in this paragraph rest in large part on my conversations with a number of ex-resistance leaders and activists in 1960.

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some bits of direct evidence to support it, plus such circumstantial evidence as the fact that all the key posts in *Front National* were entrusted to party members or reliable sympathizers.[17] If the party really did try to get a grip on the whole underground, it failed, and probably for two reasons. One of these was the aforementioned fact that it began to resist too late; the other was that it ran into a powerful rival also determined to unite the underground for different ends —namely, Charles de Gaulle. By 1943, the Communists had been outmaneuvered by a man who possessed a powerful emotional hold in underground France, and who also possessed the more material resource of money and supplies. At that point, therefore, the party faced a new choice: to enter the newly-unified resistance movement run by non-Communists, or to stay outside it in order to compete with and possibly destroy it.

Their choice was to enter, although once again their motives are not entirely clear.[18] Possibly they were driven by a genuine desire to speed the liberation of France; or perhaps they hoped to infiltrate the new National Resistance Council and the underground army command, and to get control of these agencies by sub rosa methods. Whether or not the party consciously aimed at such infiltration, it certainly made some impressive progress toward getting control. By 1944, three members of the five-man steering committee [*bureau*] of the National Resistance Council were Communists or sympathizers, while in the C.O.M.A.C. (the military control group supervising the F.F.I.), two of the three members were reliable party agents.[19]

17 The party's original appeal for the formation of *Front National,* dated May 15, 1941 (though the date is somewhat controversial), declared: "Ce Front National, pour pouvoir remplir sa mission libératrice, doit être constitué avec, comme force fondamentale, la classe ouvrière de France, le parti Communiste à la tête." A. Rossi, *La Guerre des papillons* (Paris, 1954), p. 220.

18 The merger between Communist and non-Communist resistance units was never quite complete, despite appearances. For instance, the Communists' para-military forces, the F.T.P. (*Francs-Tireurs et Partisans*) technically became part of the F.F.I., but in fact remained a distinct and self-contained entity, coordinated with the non-Communist underground's *Armée Secrète* only at the top level. Oral testimony of Dr. Aron-Brunetière, 1960; see also Robert Aron, *Histoire de la libération de France* (Paris, 1959), p. 236.

19 On this episode, see Bourdet, *loc. cit.,* pp. 1252–1254.

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Once again, however, General de Gaulle blocked their way, and they found it impossible to maneuver him aside. They failed even though they got the help of many non-Communist resisters, who resented the domineering tactics of De Gaulle and his agents, and who wanted underground self-government without interference from London or Algiers. De Gaulle stubbornly refused to let the National Resistance Council attain a kind of autonomous status co-equal with his own provisional government, and he refused to let C.O.M.A.C. get direct control of the military aspects of liberation planning. Instead, he named his own political and military delegates in occupied France, and insisted that they have final authority. If the Communists really aimed to turn the federated underground into their tool, it was De Gaulle's action that ensured against their success.

The same controversies, and the same uncertainties, are woven into the question of Communist behavior at the moment of the liberation. Some ex-resisters who worked intimately with the Communists in 1944 remain stubbornly convinced to this day that the party's actions were above reproach. They insist that wherever the Communists seized control, the party promptly abdicated to De Gaulle's representatives as soon as the latter arrived on the scene. They argue that even though the party's long-term goal was a Communist France, party leaders were good enough Marxians to know that their moment was still a long way off—that a premature strike for power would be futile, and might even postpone the ultimate victory. But there are other ex-resisters (particularly those of northern France) who remain just as firmly convinced that a Communist coup d'état was planned and even carried through its initial stages, only to be abandoned in the face of firm and effective action by De Gaulle's agents. These doubters of Communist good faith, whose opinion is shared by De Gaulle himself in his memoirs, contend that the Communist-controlled C.O.M.A.C. had consciously chosen key party figures to command the liberation forces in a number of critical centers like Toulouse, Limoges, and Marseille; that the party-dominated Paris Liberation Committee was on the verge of establishing its grip on the capital in the summer of 1944; and that only Gaullist toughness dislodged the reluctant

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Communist agents from their new satrapies. They believe, furthermore, that the Communists then transferred their hopes to the local Liberation Committees and the embryonic *Milices Patriotiques* (organized by the party in 1944), both of which might be used as devices to rival and undermine the De Gaulle government. Instead, it was Gaullist action that undermined the Liberation Committees and, in October, 1944, disbanded the *Milices Patriotiques*.[20]

There is a third thesis that provides a plausible, though unprovable, middle ground: it holds that the party was paralyzed in the crisis by an irreconcilable division at the top over the wisdom of a strike for power. Undoubtedly there was some division among Communist leaders in 1944; evidence of it was to emerge a decade later in connection with the Marty-Tillon affair. Yet even André Marty, the most outspoken activist in the liberation era, always denied that he had wanted the party to try to seize power in 1944. His clash with the dominant party faction, as Marty later described it, involved differences of opinion over proper Communist behavior within a new Popular Front coalition, rather than differences over a strike for power.[21]

There is not much solid evidence to support the theory that the key to Communist behavior in 1944 was division and paralysis at the top. A sounder hypothesis would be that the

20 The most detailed and thoroughly documented account of the liberation period, Robert Aron's *Histoire de la libération de France* (1959), takes the view that the Communists made a conscious attempt to seize power in 1944. His book rests in considerable part on the oral testimony of ex-resisters, some of whom disagree sharply with Aron's conclusions. One of his informants contends that Aron "got all the details right but completely deformed the spirit." Interview with Dr. Aron-Bruntière, 1960.

21 Marty, *op. cit.*, p. 241. Claude Bourdet, *loc. cit.*, pp. 1851–1852, believes that French Communist leaders got no clear lead from Moscow and therefore failed to make a firm policy decision. Their mistake, according to Bourdet, was that they made no preparations for a coup, yet aroused the suspicions of non-Communist resisters by certain actions that would have been sensible only if a coup were intended. Thus they got the worst of both worlds. At the founding congress of the Cominform in 1947, Yugoslav delegate, Milovan Djilas, violently attacked the French Communist leadership for a series of policy errors that included its failure to carry out an insurrection in 1944. Eugenio Reale, *Avec Jacques Duclos au banc des accusés* (trans. from the Italian by Pierre Bonuzzi [Paris, Plon, 1958]), pp. 144–145. Although Djilas was supported by the Soviet delegates, Zhdanov and Malenkov, it does not follow that the Kremlin had favored an insurrection at the moment of liberation.

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bulk of the French Communist leaders, and the Kremlin as well, were agreed on a policy of sharing power in postliberation France as a step toward achieving full power a few years later. If the party had managed to dig itself into strong positions within the postwar army and administration, if it had been able to turn the local Liberation Committees and the *Milices Patriotiques* into effective agencies for popular action, it might then have hoped to maneuver De Gaulle as the Czech Communists were later to maneuver Beneš, and to repeat (or anticipate) the *coup de Prague* at the proper moment. That it failed to do so was probably not the product of Communist squabbles and indecision at the moment of liberation. Rather, it was the long-term consequence of the party's initial delay in entering the resistance, and the immediate consequence of having to face a shrewd, determined, and charismatic opponent in Charles de Gaulle.

V

One broader problem remains: to put the resistance episode into the proper perspective, to assess its significance in the history of modern France. Did it really make any difference? Was it nothing more than a quixotic footnote to history, almost irrelevant to the development of postwar France?

It is easy to take this cynical position; many ex-resisters share it with most of the onetime *attentistes*. Disillusionment quickly clouded the dream of a *république pure et dure,* of a strengthened state and a renovated society. Most of the new political parties born of the resistance quickly withered; the resistance press atrophied just as promptly; the new political elite often found itself elbowed aside by the "old pros" of the prewar era. By 1960, monuments raised in memory of resistance heroism could be defaced or blown up without producing more than a ripple of protest; by 1960, one third of the young Frenchmen queried in an opinion poll could declare themselves totally indifferent to any fellow Frenchman's wartime record of resistance or collaboration.[22]

There are some Frenchmen, nevertheless, who have stub-

[22] *Echo de la Résistance,* no. 53 (February 1960), p. 3; compare also nos. 48–49 (July–August 1959) and no. 54 (March 1960).

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bornly continued to assert the historic significance of the resistance. They have sometimes argued on pragmatic grounds that it spared France a civil war on the morrow of the liberation, or that it saved France from becoming an occupied satellite of the Anglo-Saxon powers. There is something to be said for both of these hypotheses. The resistance movement, by pulling together the active elements in the nation and creating at least a temporary consensus, did make possible a quick and easy transition from Vichy to the Fourth Republic. Without a strong and relatively united underground, civil war might indeed have intervened. Or, if the collapse of Vichy had left nothing more than a vacuum, an invertebrate society numb to its own fate, the Anglo-Saxons might have been forced to provide the nation with a new structure, as they did in prostrate Germany.

There is much more to be said, however, for the broader, deeper, and more subtle consequences of the resistance in the postwar era—even though those consequences cannot be tested by the historian's usual norms of proof. Any nation's morale can easily disintegrate, its outlook can become gravely distorted, if at moments of crisis it fails to discover within itself a civic-minded elite possessed of deep convictions and courageous enough to fight for them. "Causes that die," said Barrès, "are those for which men are no longer willing to die." There are powerful arguments for the easier road of *attentisme:* for a national policy of "rolling with the punch" or awaiting external salvation. Still, a France totally committed to *attentisme* in those critical years would surely have endowed the nation with a heritage quite different from that derived from the resistance mystique. The best of the wartime resisters were inspired by something more than injured patriotism or an itch for adventure; they had made (as one thoughtful ex-resister puts it) "a lucid choice of a certain conception of man"—a choice that rested on "a rational faith in human dignity." If France since the Second World War has shown some remarkably healthy trends, some signs of vigorous self-renewal, they are to be traced for the most part neither to Vichy nor to the straddlers and the cynics, but to the men, the ideals, the durable myth of the wartime resistance.

GORDON WRIGHT

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THE RENUNCIATION OF WAR IN THE JAPANESE CONSTITUTION

SINCE 1949, the no-war, no-arms clause of the Japanese Constitution has been a continual source of embarrassment to American policy makers and Japanese statesmen.[1] The Constitution of 1947 forbade the maintenance of army, navy, and air forces, but in 1950 the Communist attack in Korea and subsequent Communist offensives in the Far East have made it necessary for Japan to rearm for self-defense. A National Police Reserve was established in Japan at the beginning of the Korean War, and it has subsequently come to be known as the Self-Defense Force. Japanese Socialists and Communists have attacked this military organization as unconstitutional, and many conservatives hold that the basic law should be amended to permit the strengthening of the Self-Defense Force.

In the meantime, substantial American forces have been stationed in Japan under the terms of the United States-Japan Joint Security Treaties of 1951 and 1960. However, in March, 1959, the problem of the constitutionality of

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1 The official English translation of the famous disarmament provision follows:

> Chapter II. Renunciation of War
>
> Article 9. Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.
>
> In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

For a concise analysis of how this particular English version came to be settled on, see Tatsuo Sato, *Nihonkoku Kempo Tanjoki* [The Record of the Birth of the Constitution of Japan] (Tokyo, Okurasho Insatsukyoku, 1957), pp. 189–201. For a clearer understanding of the meaning of this highly controversial provision, it is essential to consult the Japanese text. The Japanese makes clearer than the English translation that the expression "as means of settling international disputes" applies to "war as a sovereign right" as well as to "the threat or use of force."

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Japan's security arrangements reached its greatest crisis. The Tokyo District Court determined, in the famous Sunakawa case, that the establishment of *American* bases in Japan was unconstitutional. American forces, nevertheless, remained in Japan, and in December the Japanese Supreme Court ruled that the stationing of American forces in Japan did not violate the basic law. The constitutionality of the Japanese Self-Defense Force, however, remains unsettled. At the same time, opponents of the 1960 Japanese-American Security Pact assert that the provisions of the new treaty are contrary to the Constitution.

Many Americans and Japanese are now asking how the disarmament clause, a formidable obstacle to Japan's rearmament and Japanese-American cooperation, got into the Japanese Constitution in the first place. The mystery is deepened when it is recalled that it was General MacArthur's Headquarters which drafted the Constitution, and the no-war clause was the General's favorite provision. Was it a Japanese or an American idea to write the war ban into the Constitution? Why was it inserted? Did the drafters of Japan's basic charter intend to deprive the nation of both the right and the means of self-defense? Were they completely oblivious to the threat of Communism to Japan's security? Recently the findings of the Japanese Government's Commission on the Constitution, statements by General MacArthur, and newly declassified documents in the archives of the American State Department have thrown much light on the mystery of Article 9.

I

As early as 1928, the Japanese committed themselves to the renunciation of war. Then Japan, like every other major power, adhered to the Kellogg-Briand "General Treaty for the Renunciation of War," or Pact of Paris. The parties to this famous treaty solemnly swore to "renounce" war as "an instrument of national policy in their relations with one another" and agreed that the settlement or solution of all disputes or conflicts of whatever origin which would arise among them would never be sought except by pacific means.

Notwithstanding the Kellogg Pact, in 1931 Japanese forces invaded and occupied the Manchurian provinces of China,

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and several years later the League of Nations Assembly found that Japan's "Holy War" in north China was contrary to the Pact of Paris. The Renunciation of War Treaty was apparently ignored at the time of the attack on Pearl Harbor in 1941. After the Pacific War, the International Military Tribunal for the Far East tried and convicted twenty-six of Japan's wartime leaders as Class A war criminals for their failure to honor the Paris Pact and other international commitments.

In February, 1946, when the Shidehara Cabinet was discussing the American draft for a new Japanese Constitution, Hitoshi Ashida, then Welfare Minister, pointed out that since Japan had already renounced war by adhering to the Kellogg-Briand Pact, it would be no radical departure in Japanese policy to renounce war a second time—this time in the Constitution.[2]

While the Kellogg-Briand Pact may have suggested the renunciation of *war* in Japan's basic law, Allied policy may have inspired the renunciation of *arms* in the Japanese Constitution. Roosevelt and Churchill were probably thinking of Japan as well as of her Axis partners when they proclaimed in the Atlantic Charter:

> . . . Since no future peace can be maintained if land, sea, and air armaments continue to be employed by nations which threaten, or may threaten aggression outside their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential.

Thus several months before entering the war, the United States declared her aim to disarm the aggressor states.

In signing the armistice agreement aboard the battleship *Missouri* on September 2, 1945, Japan agreed to accept the provisions of the Potsdam Declaration (July 26, 1945).[3] The

2 *Kempo Chosakai Dai Shichi Kai Sokai Gijiroku* [Proceedings of the Seventh General Meeting of the Commission on the Constitution], December 4, 1957, p. 78. Professor Kisaburo Yokota told the Commission on the Constitution on July 15, 1959, that "Phraseologically speaking, the provisions of Article 9 of the Japanese Constitution can be said to inherit the no-war treaty of 1928. Whoever the sponsor of the Japanese Charter, it is clear that he had the no-war treaty in mind." *Japan Times*, July 16, 1959.

3 On the history of the Potsdam Declaration, compare Herbert Feis, *Japan Subdued: The Atomic Bomb and the End of the War in the Pacific* (Princeton, 1961).

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Potsdam terms provided that Japan's military forces would be "completely disarmed" and "permitted to return to their homes with the opportunity to lead peaceful and productive lives." Moreover, Japan would not be allowed to maintain any industries "which would enable her to rearm for war."

On August 29, 1945, just before the surrender ceremony, President Truman informed General Douglas MacArthur, the Supreme Commander for the Allied Powers (SCAP), that one of the ultimate objectives of the United States was to "insure that Japan will not again become a menace to the United States or the peace and security of the world." Japan was to be "completely disarmed and demilitarized." Every effort would be made "to bring home to the Japanese people the part played by the military and naval leaders . . . in bringing about the existing and future distress of the people. Japan is not to have an army, navy, air force, secret police organization, or any civil aviation." [4]

The first great task of the Allied Occupation of Japan was to completely disarm the country. Japanese soldiers and sailors were brought home. Every kind of weapon, including antique samurai swords, was confiscated by the American forces. Factories capable of making war materiel were closed. The only Japanese experimental cyclotron was destroyed. Wartime leaders were either tried as war criminals or purged from public life. In July, 1947, General MacArthur announced that the Occupation had done its job so thoroughly that "Japan could not rearm for modern war within a century." [5]

The American State Department, late in 1945, drafted a four-power "Treaty on the Disarmament and Demilitariza-

[4] "United States Initial Post-Surrender Policy for Japan," in SCAP, Government Section, *Political Reorientation of Japan* (2 vols., Washington, Government Printing Office, no date [1949?]), Vol. II, pp. 423–426. Hereafter this book will be cited as *Political Reorientation*. On November 3, 1945, a more detailed set of secret instructions was sent to MacArthur by the Joint Chiefs of Staff: "Basic Initial Post-Surrender Directive to the Supreme Commander for the Allied Powers for the Occupation and Control of Japan," see text in *ibid.*, pp. 429–439. In the "Economic Disarmament" section of this latter directive, the following instruction appeared: "Develop and recommend to the Joint Chiefs of Staff controls which will prevent Japanese rearmament after termination of your occupation."

[5] *Ibid.*, p. 774.

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tion of Japan."[6] This treaty would create a "Commission of Control" made up of Britain, China, the Soviet Union, and the United States, which would exercise stringent surveillance over Japan for twenty-five years following the Occupation to prevent any form of rearmament or remilitarization. Apparently the Draft Treaty on Disarmament was not intended to keep Japan disarmed forever, but only "as long as the peace and security of the world may require."

Some scholars have suggested that this disarmament treaty may have inspired General MacArthur to write the arms-ban clause into his proposals for the revision of the Japanese Constitution in February, 1946. It has also been speculated that MacArthur supported the constitutional renunciation of war in order to forestall the establishment, as provided in the treaty, of a Commission on Control, which would mean Russian, British, and Chinese, as well as American, intervention in Japan for twenty-five years after the Occupation. Actually, however, SCAP Headquarters was not informed of the discussions of a peace treaty at the Moscow and Paris Conferences (December, 1945, and July, 1946).[7]

Notwithstanding the Allies' determination to completely disarm Japan after the war, disarmament was not the be-all and end-all of American postwar policy towards Japan.[8] And it is not at all clear that it was Allied or American policy to disarm Japan *in perpetuum*. The Atlantic Charter

[6] Details on the negotiations are given in F. C. Jones, Hugh Borton, and B. R. Pearn, *The Far East: 1942–1946* (London, 1955), pp. 419–421. Text on the treaty is on pp. 541–543, and in U. S. Department of State, *Occupation of Japan: Policy and Progress* (Washington, Government Printing Office, no date [1946?]), pp. 85–88.

[7] Major General Courtney Whitney to Dr. Kenzo Takayanagi, in letter dated December 18, 1958.

[8] For descriptions of the policy for the Occupation of Japan developed in the United States State Department during the war, see Cordell Hull, *The Memoirs of Cordell Hull* (New York, 1948), Vol. II, pp. 1588–1595, and the important policy paper of May 4, 1944, "Japan: The Postwar Objectives of the United States in Regard to Japan," in *Postwar Foreign Policy Preparation, 1939–1945* (Washington, Government Printing Office, 1949), p. 591. The wartime plans for military government and a three-stage occupation for Japan were greatly modified as a result of the surrender of Japan before a military invasion of the homeland became necessary. Compare, "Statement of Supreme Commander for the Allied Powers (MacArthur) on Occupation Policy, September 9, 1945," in Raymond Dennett and Robert K. Turner, eds., *Documents on American Foreign Relations*, Vol. VIII (Princeton, 1948), citing *New York Times*, September 10, 1945.

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had called for the disarmament of the aggressors "pending the establishment of a wider and permanent system of general security." The Potsdam Declaration had stipulated that Allied forces would leave Japan when the objectives of Potsdam had been accomplished and a peacefully-inclined and responsible government had been established in Japan. Possibly the peacefully-inclined government would then be free to arm or not as it pleased or as necessary to fulfill its obligations upon becoming a member of the United Nations.

The American State Department apparently did not believe that a disarmament clause was needed in the Japanese Constitution. On October 17, 1945, Secretary of State Byrnes sent important secret instructions to MacArthur's Political Advisor, Mr. George C. Atcheson, Jr., concerning constitutional reform in Japan.[9] These instructions stated that a future Japanese Constitution might or might not provide for an Emperor. However, if the Emperor was retained, the Constitution should provide, among other things, that "any ministers for armed forces which may be permitted in the future should be civilians and all special privileges of direct access to throne by military shall be eliminated." Thus State Department policy, instead of calling for constitutional disarmament, contemplated the possible rearmament of Japan.

In October, 1945, General MacArthur urged Prince Fumimaro Konoye to take the lead in democratizing the Japanese Constitution. The prince and his advisors had a number of conferences with Mr. Atcheson and other State Department people in Japan. Mr. Atcheson urged the Konoye group to provide for the "obliteration of the influence of the military in the government" and the principle that "Cabinet ministers should be civilian." [10] However, the Supreme Commander later told Mr. Atcheson to cease negotiations with Konoye, and SCAP Headquarters announced that it was not sponsoring Konoye's efforts to revise the Constitution.

In November, Prince Konoye and his associate, Dr. Soichi

[9] For as much of the text as has been thus far made public by the State Department, see Theodore McNelly, "The Japanese Constitution: Child of the Cold War," *Political Science Quarterly*, Vol. LXXIV, no. 2 (June 1959), pp. 176–195.

[10] *Political Reorientation*, Vol. I, p. 91; Yasaka Takagi, *Toward International Understanding* (Tokyo, 1954), p. 115n.

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Sasaki, reported their recommendations to the throne.[11] Thus the Konoye proposals, like the proposals of the State Department, contemplated the subordination of the military to the civilian branch of the government in an ultimately rearmed Japan. However, in December, the Allies indicted Konoye as a war criminal and he committed suicide. His proposals had no direct influence on the Constitution adopted in 1946.[12]

In December, 1945, and January, 1946, SCAP's Government Section became interested in constitutional reform and made critical studies of various proposals for amendment made by Japanese individuals, political parties, and private groups. However, from the fragmentary evidence now available, it does not appear that during these months Government Section officials believed that the renunciation of war or arms was necessary in a revised Japanese Constitution. It was felt, however, that the drafts of the unofficial groups would not adequately diminish the political influence of the

[11] Konoye advocated the following changes in the Imperial Constitution concerning war and arms:

> 2. c. It shall be provided that the declaration of war and of peace as well as the conclusion of treaties must be carried out with the consent of the Imperial Diet. In the event that there is not sufficient time to convene the Imperial Diet, the Constitutional Affairs Deliberation Council [an organ newly proposed by Konoye] must be consulted.
>
> . . . .
>
> 3. It shall be made specifically clear that the command and organization of the military also are matters of state. (It is necessary to consider the deletion or revision of Articles 11 and 12.) [Articles 11 and 12 of the Constitution then in force provided that the command and organization of the military were prerogatives of the Throne. These articles had been interpreted to allow the service ministers direct access to the Throne.]

The most authentic and complete versions of the Konoye and Sasaki proposals were published by the Commission on the Constitution in 1958. For an English translation of the Konoye draft, see Theodore McNelly, *Domestic and International Influences on Constitutional Revision in Japan, 1945–1946* (Ann Arbor, University Microfilms, 1952), pp. 382–386.

[12] Dr. Sasaki, as a member of the House of Peers in 1946, opposed the draft of what is now the Constitution, primarily because it would abolish "the Emperor system in the correct sense of the term," but also because he doubted the ethics or wisdom of a renunciation of war by a single country. He held that the renunciation of war was properly an international responsibility to be signified by an international act of renunciation. Harold S. Quigley and John E. Turner, *The New Japan: Government and Politics* (Minneapolis, 1956), pp. 154–156.

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military.[13]

On January 7, 1946, the State-War-Navy Coordinating Committee (SWNCC) adopted a fourteen-page policy paper on the "Reform of the Japanese Governmental System" (SWNCC-228), which was forwarded to General MacArthur for his "information." [14] Its purpose was to "determine the constitutional reforms which the occupation authorities should insist be carried out in Japan." The phraseology of the paper was very similar to Secretary Byrnes' instructions to Mr. Atcheson of October, 1945. SWNCC stipulated that,

> Although 'the ultimate form of government of Japan' is to be determined by the 'freely expressed will of the Japanese people', the Allies, . . . as a part of their over-all program for the demilitarization of Japan, are fully empowered to insist that Japanese basic law be so altered as to provide that in practice the government is responsible to the people, and that the civil is supreme over the military branch of the government.

One section of the SWNCC paper dealt with "The Dual Nature of Japanese Government which Permits the Military to Act Independently of the Civil Government and of the Parliament." It pointed out that the Emperor's prerogative of supreme command of the army and navy had been

> interpreted by the military services to mean that they are responsible solely to the Emperor and may act independently of the Cabinet and Diet in matters of military con-

[13] *Political Reorientation,* Vol. I, p. 98, and Courtney Whitney, memorandum for Chief of Staff, January 11, 1946, subject: Comments on Constitutional Revision Proposed by a Private Group.

[14] The substance of SWNCC-228 had been known in SCAP Headquarters from the very beginning of the Occupation. In August, 1945, Colonel Charles L. Kades carried the text, as it then stood, along with other Joint Chiefs of Staff papers and SWNCC paper, with him to Japan for guidance at his level. (Letter from Charles L. Kades to the author, December 8, 1959.) According to another former member of Government Section, there was an exchange of views between SCAP and Washington concerning SWNCC-228, but Mr. Kades does not recall such an exchange. SWNCC-228 is summarized in George F. Blakeslee, *The Far Eastern Commission: A Study in International Cooperation* (Washington, Government Printing Office, 1953), p. 45, and sections are quoted in Robert E. Ward, "The Origins of the Japanese Constitution," *The American Political Science Review,* Vol. L, no. 4 (December 1956), pp 980–1109. The Commission on the Constitution published for its use virtually all of the document with a Japanese translation in April, 1958, and the State Department subsequently provided the present author with the complete text.

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> cern. . . . The right of direct access to the Emperor possessed by the Chiefs of Staff and Ministers of Army and Navy, a privilege enjoyed by the Prime Minister but by no other member of the Cabinet, has been an indispensible condition of the services' independence of action.

SWNCC therefore indicated that, if the Emperor was to be retained, he "be deprived of all military authority such as that provided in Articles XI, XII, XIII, and XIV" of the Constitution.

SWNCC further stated,

> Although the authority and influence of the military in Japan's governmental structure will presumably disappear with the abolition of the Japanese armed forces, formal action permanently subordinating the military services to the civil government by requiring that the ministers of state or the members of the Cabinet must, in all cases, be civilians would be advisable.

Elsewhere the SWNCC paper specified that the ministers of state "should in all cases be civilians."

Thus the Departments of State, War, and Navy indicated the means whereby "dual government" would be brought to an end in Japan. But in spite of a reference to "the abolition of the Japanese armed forces," it appears that SWNCC was not contemplating the perpetual disarmament of Japan. Indeed, the references to the military branch, the military services, and civilian ministers suggest that Japan was expected sooner or later to have some kind of armed forces.

II

On January 24, 1946, Prime Minister Shidehara had a conference with General MacArthur. It appears that Article 9 of the Japanese Constitution was born at this conference. The men talked privately for over two hours, and no third party was present to report what they said to each other. However, General MacArthur has given us the following account of how at this meeting Article 9 came into being:

> . . . The Japanese people, more than any other people in the world, understand what an atomic warfare means. It wasn't academic with them. They counted their dead and buried them.
>
> They, of their own volition, wrote into their constitution

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a provision outlawing war.

When their Prime Minister came to me, Mr. Shidehara, and said, 'I have long contemplated and believed,' and he was a very wise old man,—he died recently,—'long contemplated and believed that the only solution to this problem is to do away with war.'

He said: 'With great reluctance I advance the subject to you, as a military man, because I am convinced that you would not accept it; but,' he said, 'I would like to endeavor, in the constitution we are drawing up, to put in such a provision.'

And, I couldn't help getting up and shaking hands with the old man, and telling him that I thought that was one of the greatest constructive steps that could possibly be taken.

I told him that it was quite possible that the world would mock him,—this is a debunking age, as you know,—that they would not accept it; that it would take great moral stamina to go through with it, and in the end they might not be able to hold the line; but I encouraged him and they wrote that provision in.

And, if there was any one provision in that constitution which appealed to the popular sentiment of the people of Japan, it was that provision.[15]

[15] *U. S. News and World Report,* Vol. XX (May 18, 1951), p. 60. In a letter of December 15, 1958, to Dr. Kenzo Takayanagi, General MacArthur confirmed that Prime Minister Shidehara had proposed putting into the Constitution an article outlawing war. However, MacArthur did not explicitly state that Shidehara proposed a renunciation of armed forces. Courtney Whitney, in *MacArthur: His Rendezvous with History* (New York, 1956), pp. 257–259, states that Shidehara proposed the constitutional renunciation, not only of war, but also of the maintenance of a military establishment.

On the other hand, Kuramatsu Kishi, Shidehara's private secretary, told the Commission on the Constitution, "I am absolutely positive that Shidehara did not propose to insert it [the renunciation of war] as a clause in the Constitution." Sixth General Meeting of the Commission on the Constitution, Report, November 20, 1957, p. 58.

Shigeru Yoshida, Foreign Minister in the Shidehara Cabinet and Prime Minister when the proposed Constitution was being debated in the Diet and Privy Council, has written, ". . . there is a theory that Prime Minister Shidehara may have originated the renunciation-of-war clause, but nevertheless my feeling is that this clause was inserted in accordance with the idea of General MacArthur. . . . Of course, I think it might well be that Prime Minister Shidehara had a similar conviction, so that this idea came up during the conversation between the Prime Minister and the General and that they found each other extremely congenial. However, it is inconceivable that Prime Minister Shidehara went so far as to suggest the establishment of this kind of provision in the Constitution." Eighth General Meeting of the Commission on the Constitution, Report, December 18, 1957; Shigeru Yo-

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Baron Shidehara has written that the first thing that came to his mind when he was appointed Prime Minister was to prevent another war. He therefore decided on the complete democratization of the government, the renunciation of war and the complete abolition of arms. "A number of Americans have come to Japan and asked if the present Constitution was not the result of urgings by GHQ against the will of the Japanese people, but as far as I am concerned, this is not the case; it was certainly not imposed by anyone." [16]

It is said that Shidehara told a Privy Councillor that he had originated the constitutional ban on war as a means of saving the Emperor system.[17] Immediately following the war, the Soviet Union, Australia, and several other Allies were demanding the trial of the Emperor as a war criminal and the abolition of the Throne, which had been exploited by the militarists to strengthen their control over Japan. To make the Emperor more acceptable to Allied opinion, Shidehara had drafted in *English* the Emperor's 1946 New Year's Rescript, in which Hirohito renounced his divinity.[18] It

shida, *Kaiso Junen* [Reflections on Ten Years], 4 vols. (Tokyo, Shincho Sha, 1958), Vol. IV, pp. 170–185.

However, Dr. Kenzo Takayanagi, Chairman of the Commission on the Constitution, states that it was Shidehara who originally suggested putting the renunciation of war provision into the Constitution. "Kassatsu Jizai no Kempo Dai Kyu Jo" ["The All-Powerful Article 9 of the Constitution"], *Bungei Shunju* (August, 1959), pp. 118–127. Some people believe that Shidehara may have suggested that Japan renounce war as a policy and that it was MacArthur's idea to put the renunciation in the Constitution. In any event, it seems generally agreed that Shidehara and MacArthur did discuss the renunciation of war and that they both held strongly pacifistic views at that time.

16 Kijuro Shidehara, *Gaiko Goju Nen* [Fifty Years of Diplomacy] (Tokyo, Yomiuri Shimbunsha, 1951), p. 213. Dr. Joji Matsumoto has suggested that Shidehara sometimes said that he (Shidehara) had originated the no-war clause in order to preserve the fiction that his Government had originated the draft Constitution. *Political Reorientation* does not attribute the origin of the no-war clause to Shidehara, but by quoting MacArthur's "three points" for incorporation in the Constitution, gives the impression that the renunciation of war was originally the idea of the Supreme Commander.

17 Commission of the Constitution, Seventeenth Meeting of the Subcommittee on the Enactment of the Constitution.

18 In 1959, Kuramatsu Kishi told Dr. Kenzo Takayanagi that Mr. Shidehara, whose English was very good, spent two hours composing and polishing the Emperor's famous message. Tamon Maeda, Minister of Education, translated the original English version into Japanese. This account is in part confirmed by a statement of Tamon Maeda cited in *Asahi Evening News,*

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appears that the renunciation of war may have been conceived as a grand gesture which would accomplish the same purpose as the Emperor's renunciation of his divinity—it would make the Japanese emperor system more acceptable to world opinion.

General Whitney has pointed out that Article 9 pursued —through Japanese initiative rather than Allied compulsion —a course that was basic to the Allied policy, rendering Japan's war-making potential impotent—spiritually as well as physically. "What better method than to let the Japanese do it themselves?" [19]

In response to the suggestion by General MacArthur that it would be necessary to reform the Japanese Constitution, Prime Minister Shidehara had established in October, 1945, an informal "Constitutional Problem Investigation Committee" headed by State Minister Joji Matsumoto to determine "whether or not the Constitution needed to be revised and if so to what extent." At the first meeting of the Matsumoto Committee, some members urged that since Japan could not possess armaments any longer, it would be a politically effective gesture (*zesuchua*) to include in the Constitution a provision for the abolition of armaments to make Japan's devotion to peace clear to the world. However, some people, for example, Professor Tatsukichi Minobe, opposed this idea as absurd.[20]

Beginning on January 29, five Cabinet meetings were de-

August 12, 1959. A rather different version is given in Robert King Hall, ed., *Kokutai no Hongi: Cardinal Principles of the National Entity of Japan* (trans., John Owen Gauntlett [Cambridge, 1949]), p. 46. However, in 1959, Mr. Gauntlett told the present author that he did not recall making an English translation of the New Year's rescript as is stated in the latter source.

19 Whitney, *op. cit.*, p. 259.

20 Fifth General Meeting of the Commission on the Constitution, Report, January 6, 1957, p. 5. The so-called "Matsumoto Committee B Draft" for revision of the Constitution did not contain an explicit prohibition of armaments; however, it would delete all references whatsoever to the military in the Imperial Constitution. Draft B appears to have reflected the view that the de-emphasis on military matters would be desirable in the light of world opinion. However, the B draft was not supported by Dr. Matsumoto himself, who advocated provisions which would make the military branch of the government explicitly subordinate to the civilian branch.

An English translation of the "B draft" appears in *Political Reorientation*, Vol. II, pp. 607–610.

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voted to deliberation on the Matsumoto proposals for constitutional revision. As we have noted, Baron Shidehara had already advocated the renunciation of war to General MacArthur. In these Cabinet meetings, the Prime Minister suggested that all military provisions be dropped from the Constitution in order to make smooth (*sumuzu*) negotiations with MacArthur's Headquarters.[21] Like others urging the deletion of military provisions, he may have felt that if Japan's rearmament was necessary, it could be accomplished by the enactment of ordinary statute law. The Prime Minister, however, did not allude to his January 24 meeting with MacArthur and did not advocate to his Cabinet at this time the explicit abolition of war and arms in the Constitution. If Shidehara was then a strong proponent of the constitutional disarmament of Japan, he did not make it clear to his Cabinet. Baron Shidehara, it seems, had a custom (*kuse*) of not always taking his Cabinet into his complete confidence.[22]

Minister of State Matsumoto said repeatedly in the Cabinet that he could not agree with some members who favored the deletion of all military provisions from the Constitution. He felt that military clauses must be retained as long as Japan was an independent country. He believed that the independence of the Emperor's military prerogative could not be preserved, but that there could be a provision that the Emperor command the Army and Navy.[23]

III

The visit of the Far Eastern Advisory Commission (FEAC) to Japan in January, 1946, stimulated MacArthur's Headquarters to take a more active interest in constitutional reform. Commission members spoke of setting up a committee to make preparatory studies in the Far Eastern Commission. The Far Eastern Commission (FEC) had been established as the successor to the FEAC by the December, 1945, Moscow Conference without the concurrence of General MacArthur. SCAP Headquarters was eager that the Japanese Government produce a democratic draft constitution

21 Fifth General Meeting of the Commission on the Constitution, Report, January 6, 1957, p. 5.

22 Takayanagi, *op. cit.*, p. 120.

23 *Ibid.*, p. 6.

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before the FEC (in which Russia, as well as China, Britain, and the United States, had a veto) could hamstring the political reconstruction of Japan and indefinitely prolong the Occupation.[24]

Following strong press criticism of the conservative Matsumoto proposals (which had found their way into the *Mainichi Shimbun*), MacArthur's Headquarters on February 1 requested an early report from the Cabinet on its proposals for the revision of the Constitution. On February 8, Dr. Matsumoto presented his draft to SCAP's Government Section.[25] The Matsumoto outline was not an official "Cabinet draft," but was sufficiently acceptable to Prime Minister Shidehara and his colleagues to serve as a basis for negotiations with SCAP.

Dr. Matsumoto proposed, among other things, that the Emperor have "supreme command of the armed forces." However, the organization and peace standing of the armed forces would be "determined by law." The Emperor would declare war and make peace "with the advice and approval of the Diet." The respective Ministers of State would render advice and assistance to the Emperor, and be responsible to the Imperial Diet with respect to all affairs of state. "All laws, Imperial Ordinances and Imperial Rescripts relating to the affairs of the State require the countersignature of a Minister of State. The same provision shall apply to those relating to the Supreme Command of the armed forces." Thus, although the Emperor would maintain supreme command of the military, the independence of the imperial prerogatives concerning military organization in time of peace could not in the future be used by the military to establish their own independence of civil authority.

Dr. Matsumoto also submitted to MacArthur's Headquarters a brief "General Explanation of Constitutional Revision Drafted by the Government" together with a paper on the "Proposed Revision of the Army and Navy Provisions in the Constitution."[26] The conclusion of the latter docu-

[24] Whitney, *op. cit.*, pp. 247, 257. The reorganization of the Government Section following General Whitney's assumption of command in December, 1945, meant that the Section was ready to assume an active role in Japanese politics. *Political Reorientation,* Vol. II, p. 790.

[25] *Ibid.*, pp. 617–618.

[26] *Ibid.*, pp. 619–621.

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ment, which had been approved by Prime Minister Shidehara, contained a prophetic note:

> The reason why it is considered advisable that such revisions should be made in the Constitution at this time is that it will serve to provide a definite basis as regards the status and character of the armed forces in case Japan is permitted to rearm, and also to prevent the diehard elements from clinging to their wishful thinking that Japan might someday build up such army and navy as of old. If in conformity to the actual circumstances of today when there exist no armed forces, all provisions thereto are left out of the new constitution, it may encourage some people to cherish secretly such illusions as mentioned above. At the same time, it will entail, in case Japan is permitted to reestablish her armed services, the necessity of revising the Constitution once more, which in turn may give rise to all manner of dispute and controversy. . . .

Thus, although Baron Shidehara himself may have favored constitutional disarmament in his conversation with MacArthur on January 24, his Cabinet proposed precisely the opposite to SCAP Headquarters on February 8.

Apparently acting on the basis of a newspaper version of the Matsumoto draft reports, the Supreme Commander had decided, even before the Cabinet proposals were submitted to his office, that they were far too conservative to meet the requirements of the Potsdam Declaration. He directed his Government Section, headed by Brigadier General Courtney Whitney, to prepare a Constitution as a guide for the Shidehara Cabinet. On February 3, 1946, in a brief note for General Whitney, MacArthur indicated that the new Constitution should, among other things, provide:

> War as a sovereign right of the nation is abolished. Japan renounces it as an instrumentality for settling its disputes and even for preserving its own security. It relies on the higher ideals which are now stirring the world for its defense and protection.
>
> No Japanese Army, Navy, or Air Force will ever be authorized and no rights of belligerency will ever be conferred upon any Japanese force.[27]

[27] *Ibid.*, p. 102. The traditional American attitude towards international politics has been moralist, exhortatory, and unrealistic. Pacifist and isolationist attitudes in America grew out of (1) the successful subordination of

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Although General MacArthur directed the insertion of the famous disarmament clause in Japan's basic law, the lawyers in Government Section believed that it was unrealistic for Japan to renounce war "even for preserving its own security." [28] In their draft Constitution they revised the no-war clause to read:

Chapter II

Renunciation of War

Article VIII. War as a sovereign right of the nation is abolished. The threat or use of force is forever renounced as a means for settling disputes with any other nation.

No army, navy, air force, or other war potential will ever be authorized and no rights of belligerency will ever be conferred upon the State.

The various chapters of the Constitution were first drafted by small committees within Government Section and then submitted to a three-man steering committee for approval. Certain of the more difficult and controversial provisions were also discussed in informal round-table talks which included most or all of the twenty-odd members of the "Constitutional Convention." [29] The no-war, no-arms clause (Chapter II), however, was apparently drafted by the steering committee itself. Chapter II was not regarded by the

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contentious local sovereignties to a single continental political regime by means of a federal constitutional structure, and (2) the relative success, because of its geographical isolation, of the United States in remaining aloof from the battleground of European politics. The resulting American tendency was to deprecate the role of power in politics and conclude that wars were merely the result of moral aberrations and lack of "understanding." These American attitudes have been the special subject of such writers as Hans Morgenthau, George F. Kennan, and Reinhold Niebuhr. See especially the latter's *The Irony of American History* (New York, 1952).

28 Commission on the Constitution, Seventeenth Meeting of the Subcommittee on the Enactment of the Constitution, Report, February 12, 1959, pp. 4–5. The text of the original MacArthur draft Constitution has been published in *Kokka Gakkai Zassi* [The Journal of the Association of Political and Social Sciences], Vol. LXVIII, nos. 1, 2 (September 1954), pp. 2–37, and *Contemporary Japan,* Vol. XXIV, nos. 4–6, pp. 188–199. It does not appear in *Political Reorientation.*

29 The drafting procedure in Government Section is described in *Political Reorientation,* Vol. I, pp. 101–105. The names of the American authors of the Japanese Constitution, together with an indication of the chapters for which each was responsible, are listed in *ibid.,* Vol. II, p. 813.

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Government Section staff as controversial, based as it was on MacArthur's notes, and it was discussed only briefly in a round-table talk. It is said that the members of the steering committee were aware of Shidehara's origination of Article 9, but there was not a whisper among the rest of the Constitution drafters that the war renunciation had been suggested by the Prime Minister.[30]

The Preamble to the draft Constitution, reputedly written by Commander A. Rodman Hussey of Government Section, included a resolution that "never again shall we [the Japanese People] be visited with the horrors of war through the action of government" and states, "Desiring peace for all time and fully conscious of the high ideals controlling human relationships now stirring mankind, we are determined to rely for our security and survival upon the justice and good faith of the peace-loving peoples of the world."

IV

On February 13, General Whitney took the American draft Constitution to members of the Japanese Cabinet. He said that the Matsumoto draft was completely unacceptable to the Allies and emphatically urged the Japanese to adopt the American document as a basis for a new Constitution.[31] The Japanese Cabinet, including Baron Shidehara, was as much surprised by the no-war clause as by any other provision of the remarkable document.[32]

On February 21, General MacArthur told Prime Minister Shidehara that the position of the Emperor as a symbol and the renunciation of war were the two principles which he

30 As international tension in the Far East became more serious, some Western newspapermen began to criticize the SCAP-sponsored no-war Constitution as impracticable. General MacArthur, in his New Year's message of January, 1950, then referred to the renunciation of war as a "product of Japanese thought." This was the first hint that most people in Government Section ever heard that Article 9 had not been originated by the Supreme Commander himself.

31 Whitney pointed out that the enactment of a drastically new and democratic Constitution was necessary to preserve the Emperor. Although the Japanese were asked to adopt the "basic forms and principles" of the SCAP draft Constitution, the Americans did not intend that the Japanese should change a single word of the document that was presented to them, according to one American participant consulted by the present author.

32 Sixth General Meeting of the Commission on the Constitution, Report, November 20, 1957, p. 48.

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insisted be incorporated into the Japanese Constitution. According to Hitoshi Ashida, then a member of the Cabinet, MacArthur said to Shidehara that the Japanese Government should be more concerned with repercussions abroad than with domestic opinion. If military provisions were preserved, what would other nations say? They would probably suspect that Japan would try to revive her armament. The Supreme Commander believed that it would be good for Japan to declare, as Chapter II of the American draft provided, that she renounces war as an instrument of national policy and by so doing to assume "moral leadership."

Mr. Shidehara, however, interrupted General MacArthur to express his doubt that there would be any "followers" to this "leadership."

The Supreme Commander is said to have replied that Japan would not lose anything even if she did not find any followers. Anyone who did not support the principle of renunciation of war was himself at fault. The adoption of the Matsumoto draft would arouse the suspicions of the world, with unpleasant effects for Japan. It might then prove impossible to preserve the security of Japan. The reactions of other nations must be first borne in mind. If the Japanese Cabinet refused to accept the American draft, Japan would lose a wonderful opportunity.[33]

Both Shidehara and MacArthur were evidently very conscious of the importance of renouncing war from the standpoint of saving the Japanese Throne. A principal reason for urgency in formulating a pacificist and liberal Japanese Constitution was apparently to forestall attempts by some members of the Far Eastern Commission to abolish the Emperor system. It would greatly complicate the task of the Supreme Commander in Japan if he were charged by the Allied Power with imposing a republican regime upon an unwilling population. It had been MacArthur's "fixed purpose" to preserve the Throne, and this could be done by drastically reforming the Japanese monarchy to make it acceptable to Allied opinion.[34] Of course the Supreme Commander's

[33] Seventh General Meeting of the Commission on the Constitution, December 4, 5, 1957, Report, p. 77.

[34] Compare, Tatsuo Sato, "Nihonkoku Kempo Seiritsu Shi, 10" ["History of the Formulation of the Constitution of Japan"], *Jurisuto,* no. 91 (October 1, 1955), pp. 26–27. Fifth General Meeting of the Commission on the Constitu-

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efforts to establish a reformed Emperor system in Japan met with considerable resistance, on the right, from Japanese conservatives and, on the left, from radicals and many liberals in the Allied countries.

During late February and early March, 1946, the Supreme Commander and his Government Section managed to persuade Baron Shidehara's reluctant Cabinet to abandon its own conservative constitutional amendments in favor of the American no-war Constitution. Without MacArthur's strong insistence on his own draft, the Shidehara Cabinet would probably not have adopted a Constitution which renounced war and arms. Irrespective of whether Mr. Shidehara himself personally initiated and/or favored the no-war and/or no-arms clause(s) of the Constitution, his Cabinet had favored something essentially different before it adopted the SCAP draft.

During the negotiations between Minister of State Matsumoto and General Whitney on February 22, the Japanese asked if it might not be better to put the renunciation of war, which seemed to be no more than a declaration, into the Preamble. General Whitney is said to have replied that it was necessary to attract the world's attention with the provision, so that it should certainly be placed among the articles; it was so important that he would like to make it Article 1.[35]

On March 6, 1946, the Shidehara Cabinet made public a slightly modified version of the Government Section draft Constitution as its own proposal. The Supreme Commander at the same time announced to the world his "full approval" of the document. He referred to Article 9 as "foremost of

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tion, November 6, 1957, Report, p. 22 ff.; Theodore McNelly, "The Japanese Constitution: Child of the Cold War," previously cited. Mr. Charles L. Kades has kindly indicated to the author that, contrary to certain accounts, no threat was made against Mr. Wataru Narahashi by the Americans during the course of the negotiations on the draft Constitution.

35 Tatsuo Sato, "Nihonkoku Kempo Seiritsu Shi, 3," *Jurisuto,* no. 83, June 1, 1955, pp. 6–7. The present paper does not pretend to follow Article 9 through all of its permutations and peregrinations, but merely touches a few high spots. For the whole story of its literary vicissitudes in two languages, the reader is referred to Tatsuo Sato's serialized account in *Jurisuto,* cited, and Commission on the Constitution, Twenty-sixth Meeting of the Subcommittee on the Enactment of the Constitution, Report, Sepember 10, 1959.

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its provisions" and said, "By this undertaking and commitment Japan surrenders rights inherent in her own sovereignty and renders her future security and very survival subject to the good faith and justice of the peace loving peoples of the world." [36]

A month later, the Supreme Commander devoted fully one third of his speech of welcome to the Allied Council of Japan to expounding the renunciation of war in the draft Constitution:

> Such a renunciation, while in some respects a logical sequence to the destruction of Japan's war-making potential, goes yet further in its surrender of the sovereign right of resort to arms in the international sphere. . . . The United Nations Organization, admirable as is its purpose, great and noble as are its aims, can only survive to achieve that purpose and those aims if it accomplishes as to all nations just what Japan proposes unilaterally to accomplish through this constitution—abolish war as a sovereign right. Such a renunciation must be simultaneous and universal.[37]

Nevertheless, it may be noted that the Japanese renunciation of war was not made conditional upon the renunciation of war by other states. Of course, all members of the United Nations, according to Article 2 of the UN Charter, were bound to "settle their international disputes by peaceful means" and "refrain in their international relations from threat or use of force against the territorial integrity or political independence of any state."

V

When the proposed Constitution was being discussed in the Diet, the position of the Emperor as a symbol and the renunciation of war were the provisions most discussed. There was much concern that Article 9 would mean that Japan was renouncing both the right and the means of self-defense. On June 26, Premier Shigeru Yoshida explained the views of his Government in the following terms:

> The provision of this draft concerning the renunciation of war does not directly deny the right of self-defense. However, since paragraph 2 of Article 9 does not recognize any

[36] *Political Reorientation*, Vol. II, p. 657.

[37] *Ibid.*, pp. 746–748.

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> military force whatsoever or the rights of belligerency of the state, both wars arising from the right of self-defense and the rights of belligerency have been renounced. The recent war was largely fought in the name of self-defense. . . . One of the serious suspicions or misunderstandings about Japan today is that Japan may endanger world peace by rearming and fighting a war of revenge at any moment. I believe that the first thing we must do today is to correct this misunderstanding before anything else. . . . When a world peace organization is established, if there is someone who starts an aggressive war or someone who invades Japan with aggressive intent, he is an aggressor against the peace. . . . The peace-loving nations of the world will have the obligation to join together and overcome this aggressor and enemy.[38]

Thus the official position of the Japanese Government was that rearmament even for self-defense was not allowable under Article 9.

Mr. Hitoshi Ashida, who was now Chairman of the House of Representatives Committee on Constitutional Reform, proposed two amendments to the war renunciation clause so that Article 9 would read:

> *Aspiring sincerely to an international peace based on justice and order,* the Japanese people, forever, renounce war as a sovereign right of the nation, or the threat or use of force, as a means of settling disputes with other nations.
>
> *In order to accomplish the aim of the preceding paragraph,* land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized [Ashida amendments italicized].

Ashida's purpose, he explained *five years later,* was to alter the no-war clause in such a way that Japan could someday arm for self-defense.[39] However, all amendments proposed

[38] Tatsuo Sato, *Nihonkoku Kempo Tanjoki,* p. 126. Yoshida later went so far as to assert that Article 9 would prohibit Japan from contributing forces to a United Nations police force. Tatsuo Sato, "Kempo Seiritsu Shi, 53," *Jurisuto,* no. 143 (December 1, 1957), p. 56.

[39] In 1951, Ashida asserted that self-defense and self-defense forces were possible under the new Constitution. He pointed out that the phrase, "In order to accomplish the aim of the preceding paragraph," limited the prohibition of armed forces. "My opinion at that time was, and now is, that to prohibit the maintenance and employment of armed forces even for self-defense is absurd." "Japan: Communists' Temptation," *Contemporary Japan,* Vol. XX, nos. 1–3 (January–March 1951), pp. 15–24.

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in the Diet had to be cleared with SCAP Government Section.[40] Dr. Cyrus Peake, a China expert in Government Section, reported the Ashida proposal to General Whitney and pointed out that it might mean that Japan could maintain a self-defense force. The Chief of the Section, however, did not veto the Ashida amendment.[41] It was later approved by the Diet and became part of the Constitution.

Apparently, the officials in Government Section had made up their minds early in February, when they watered down MacArthur's original version of the no-war clause, that it would not necessarily mean that Japan had renounced the right of self-defense. Their loose interpretation of Article 9 would explain their lenient attitude towards amendments proposed by the Government and the Diet. Besides, the constitutional renunciation of war was not being insisted upon by the State Department or the Far Eastern Commission.

Although it seems that Mr. Ashida was aware that his amendment might make possible rearmament for self-defense, he did not publicize this view. Throughout the Diet deliberations Premier Yoshida and Minister of State Tokujiro Kanamori were consistent in explaining that although the right of self-defense was not denied, the maintenance of military forces even for self-defense was renounced. Apparently the Supreme Commander believed that self-defense forces and defensive war were possible under Article 9,[42] but this view was not conveyed to the Japanese Government.

Thus during the six months that the new Constitution was being debated in the Diet and Privy Council, MacArthur's Headquarters and the Japanese Cabinet apparently held very different views concerning self-defense under the war-ban

[40] *Political Reorientation,* Vol. I, p. 111.

[41] Committee on the Constitution, Seventeenth Meeting of the Subcommittee on the Enactment of the Constitution, Report, February 12, 1959, pp. 4–5.

[42] "Nothing in Article 9 prevents any and all necessary steps for the preservation of the safety of the nation. I stated this at the time of the adoption of the Constitution and later recommended a Defense Force be organized of ten divisions with corresponding elements of sea and air forces. The article was aimed entirely at foreign aggression and was intended to give spiritual leadership to the world. It will stand everlastingly as a monument to the foresight, the statesmanship and the wisdom of Prime Minister Shidehara." Letter of General Douglas MacArthur to Dr. Kenzo Takayanagi, December 5, 1958.

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clause. The right of self-defense, self-defense forces, defensive war, and future military contributions to the United Nations were thoroughly and uninhibitedly aired in both houses of the Diet and in the Privy Council. These questions relating to Article 9 no doubt seemed academic in 1946, when Japan was completely disarmed and occupied by the Allied Powers, so that it probably seemed unnecessary at that time for SCAP to arrive at an understanding with the Yoshida Cabinet as to precisely what Article 9 meant. However, if the Government and Diet had understood that self-defense forces were possible under Article 9, there would doubtless have been much less controversy over the adoption of this provision.

VI

While the Diet was debating the proposed Constitution, the Far Eastern Commission, sitting in Washington, took a keen interest in the proceedings. On July 2, the Commission forwarded to MacArthur through the United States Government its "Basic Principles for a New Japanese Constitution." [43] These principles were a word-for-word restatement of section 4 of SWNCC-228. The Far Eastern Commission, like SWNCC, did not stipulate that the Constitution should abolish war and arms, but did say that all Ministers of State should be civilians.

In August, 1946, as the Japanese House of Representatives was discussing the Constitution, General MacArthur told Premier Yoshida that the FEC had requested that the Constitution be amended so that (1) half the Ministers of the Cabinet would be drawn from the Diet and (2) all Ministers of State be civilians. Yoshida agreed that the first proposal was quite natural and consented to the change. However, he pointed out, it would be meaningless to provide that all Cabinet ministers be civilians because in the future Japan would have no armed forces. The Supreme Commander accepted the Prime Minister's logic and withdrew his request for a provision that all Ministers of State be civilians.[44]

On September 24, General Whitney and Colonel Charles

[43] *Political Reorientation*, Vol. II, p. 661.

[44] For several accounts of this meeting, see Tatsuo Sato, "Nihonkoku Kempo Seiritsu Shi, 47," *Jurisuto*, no. 135 (August 1, 1957), pp. 72–73.

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L. Kades visited the Prime Minister and asked that two further changes be made in the draft Constitution: (1) that universal suffrage be guaranteed and (2) that the Prime Minister and all Ministers of State be civilians. The Constitution was then being discussed in the House of Peers subcommittee on constitutional amendment. Mr. Yoshida saw no difficulty about the universal suffrage amendment but said that the Government would be embarrassed to bring up the civilian ministers provision, which was illogical in the light of Article 9. The American side indicated that such a clause was strongly desired by the Far Eastern Commission. The Americans said that they were acting only as intermediaries and could do nothing.[45] In a later conference with Japanese officials one American suggested that the Commission perhaps feared that the Ashida amendments might allow rearmament for purposes such as defense or that the Commission was thinking of a time when Japan might, as a member of the United Nations, be called upon to contribute to an international police force.[46]

The House of Peers subcommittee on constitutional revision took an extremely negative attitude towards the proposed civilian ministers clause. Premier Yoshida told the subcommittee that the Supreme Commander had said that he did not necessarily favor the suggestion, but that it had been initiated by the British and Soviet delegates of the FEC. If the Diet deliberately rejected the proposal, misunderstandings would arise, so that although the Supreme Commander was sorry, he wished to have it accepted. In an evening conference with several academic members of the subcommittee,

[45] Tatsuo Sato, "Nihonkoku Kempo Seiritsu Shi, 52," *Jurisuto*, no. 141 (November 1, 1957), p. 43. On September 25, the Far Eastern Commission adopted the following policy: "The Far Eastern Commission reaffirms its previous decisions, taken in Basic Principles for a New Japanese Constitution, that all cabinet ministers should be civilians, and further decides as a matter of policy that the House of Councillors should not have predominance over the House of Representatives. The Commission considers essential its continuing right to scrutinize the implementing legislation very carefully to insure that such predominance is not established." *Political Reorientation*, Vol. II, p. 667. This policy statement, like other FEC decisions, was kept secret for several years. The Japanese could learn of the FEC's desires only through the intermediation of SCAP.

[46] Tatsuo Sato, *op. cit.*, p. 45. Probably the attitude of the FEC to Article 9 will remain a mystery until the minutes of the Commission are made public.

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Colonel Kades reiterated the need to adopt the proposed amendments in the light of the international situation.[47]

The Government had some difficulty in translating the English text given them by General Whitney since there was no word in Japanese corresponding precisely to the English "civilian." Assuming that the civilian provision was possibly designed to perpetuate the Allied policy of purging former military officers, the Government proposed to the Peers subcommittee the text: "The Prime Minister and other Ministers of State shall be persons without professional military or naval experience." The subcommittee members felt that the Government's proposal went too far. SCAP had demanded only that all Ministers of State be civilians, while the Governmen version would provide that all Ministers of State be persons without military experience. The subcommittee believed that it would be undesirable to disqualify a man from the Cabinet simply because he had at one time attended a military or naval academy. Unfortunately, there was no suitable Japanese word for "civilian." After some study legal scholars in the subcommittee put two Chinese characters together to coin a new Japanese word (*bunmin*) in order to render the English "civilian."[48] The Diet later adopted the provision that all Ministers of State be *bunmin*.

Japanese scholars often cite the civilian ministers clause as evidence that the new Constitution was written by foreigners. The *bunmin* affair apparently reflected a gap between the ideas of the Japanese and Americans in Tokyo and the Far Eastern Commission in Washington concerning the future rearmament of Japan.

On the recommendation of the subcommittee, the House of Peers also made an important change in the wording of the Preamble, which, as later events were to prove, was to have an important effect on the interpretation of Article 9. The original version of the Preamble had read: ". . . we have determined to rely for our security and survival upon the

[47] Tatsuo Sato, "Nihonkoku Kempo Seiritsu Shi, 53," *Jurisuto*, no. 143 (December 1, 1957), p. 515. SCAP officials told Dr. Kanamori to keep the conferences with SCAP concerning the civilian ministers clause as secret as possible, but the Japanese officials, in arranging adoption by the Diet of the provision, might mention that SCAP insisted on the clause.

[48] Toshiyoshi Miyazawa, *Nihonkoku Kempo* [The Constitution of Japan] (Tokyo, Nihon Hyoronsha, 1955), supplemental volume, pp. 328–335.

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justice and good faith of the peace-loving peoples of the world. . . ." As revised by the Peers, the Preamble stated: ". . . we have determined to preserve our security and existence, trusting in the justice and faith of the peace-loving peoples of the world. . . ." In its famous decision in the Sunakawa case in December, 1959, the Japanese Supreme Court held that this provision of the Preamble implied Japan's right of self-defense and the right to enter collective security arrangements.[49]

The attitudes of Diet members towards the draft Constitution varied according to individual and party, but a fairly common view was that the enactment of a democratic Constitution like the MacArthur-sponsored document was a prerequisite for ending the Occupation of Japan. The American-inspired bill for the revision of the Constitution was passed by nearly unanimous majorities in both houses of the Diet.

The Ashida amendment and the civilian ministers clause raised serious questions as to the meaning of the renunciation of war and arms. The ambiguous attitude of SCAP and the Far Eastern Commission, who had played important roles in formulating these provisions, could have made possible a loose construction of Article 9 by the Government. However, Minister of State Kanamori clung to his original strict interpretation of Article 9 to the very end of the deliberations in the Diet and Privy Council. In October he told the Committee of Inquiry of the Privy Council that paragraph 1 of Article 9 did not go any farther than prohibit the solution of international disputes by aggressive war, but that paragraph 2 meant that military power within the country and defensive wars were not permissible.[50]

VII

For several years after the Constitution went into effect, the Japanese Government continued to hold the view that rearmament was impossible under its terms. In 1950, when American Occupation forces moved from Japan to Korea to

49 General Secretariat, Supreme Court of Japan, "Judgment upon Case of So-called 'Sunakawa Case,'" 1960. Compare Alfred C. Oppler, "The Sunakawa Case: Its Legal and Political Implications," *Political Science Quarterly*, Vol. LXXVI (June 1961), pp. 241–263.

50 Tatsuo Sato, "Nihonkoku Kempo Seiritsu Shi, 56," *Jurisuto*, no. 147 (February 1, 1958), p. 66.

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resist the Communist aggression there, General MacArthur and Prime Minister Yoshida arranged the establishment of a 75,000-man National Police Reserve to maintain internal security, but this was not regarded by the Government as rearmament.

In 1951, the Japanese peace treaty spelled out Japan's sovereign right of individual and collective self-defense. The United States-Japan Security Pact, signed the same day, provided that "Japan will increasingly assume responsibility for its own defense against direct and indirect aggression." The National Police Reserve ultimately became the Self-Defense Force, amidst much controversy over its constitutionality. The Yoshida Government held that the nature and size of the military units were not such as to constitute armaments forbidden under Article 9. He resisted American urgings for establishing even larger Japanese forces by citing the no-war, no-arms provision. Hitoshi Ashida, on the other hand, developed his thesis that Article 9 did not forbid armaments for self-defense. Japanese Socialists and Communists have opposed any form of rearmament and the stationing of American forces in Japan, citing the Constitution as vindication of their views.

After Yoshida left office in 1954, Premiers Ichiro Hatoyama and Nobusuke Kishi advocated revising the Constitution to facilitate rearmament. However, faced with stubborn Socialist opposition and widespread neutralist sentiment, the governing Liberal-Democratic Party has thus far been unable to win the necessary two-thirds majority in both houses of the Diet needed to initiate an amendment, which would then have to be approved by popular referendum. In the meantime, the Government has moved towards the view that armament for self-defense is not unconstitutional, the Kishi Cabinet holding that nuclear arms for defensive purposes were permissible. Today, the Japanese Defense Force includes 170,000 men in the land force, 26,579 in the maritime force, and 36,710 men (with 1089 airplanes) in the air force.[51] However, the Constitution remains a legal and political check on Japanese rearmament.[52]

[51] *Asahi Nenhan,* 1961, p. 243.

[52] On the interpretation of Article 9, see D. C. S. Sissons, "The Pacifist Clause of the Japanese Constitution: Legal and Political Problems of Rearmament," *International Affairs,* Vol. XXXVII (January 1961), pp. 45–59.

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Vice President Richard Nixon dramatically enunciated the changed American attitude towards the disarmament of Japan when he visited Tokyo in November, 1953:

> Now if disarmament was right in 1946, why is it wrong in 1953? And if it was right in 1946 and wrong in 1953, why doesn't the United States admit for once that it made a mistake? And I'm going to do something that I think perhaps ought to be done more by people in public life. I'm going to admit right here that the United States did make a mistake in 1946.[53]

VIII

On the basis of evidence now available, the no-war, no-arms clause was *not* explicitly advocated by (1) the United States State Department, (2) Prince Konoye and his colleagues in the office of the Lord Privy Seal, (3) Japanese political parties and leading publicists, (4) the State-War-Navy Coordinating Committee, (5) the Constitution Problem Investigation Committee under Dr. Matsumoto, or (6) the Far Eastern Commission. All of these, however, called for some degree of subordination of the military to the civilian branch of the government and for government responsible to the people.

It appears that the renunciation of war provision originally stemmed from a conference between Prime Minister Kijuro Shidehara and General Douglas MacArthur in January, 1946. It was incorporated into the Japanese Constitution largely because of the enthusiastic support of General MacArthur.

Throughout the deliberations of the Privy Council and Diet, the text of Article 9, both in Japanese and in English, underwent a series of subtle changes in the direction of weakening the provision. Never did the article make it explicitly clear whether or not the right and means of self-defense were possible. The formulators of the Japanese Constitution seem to have held widely divergent views on this important question.

Apparently a principal purpose of Article 9 was to make the reformed Emperor system advocated by American policy more acceptable to Allied opinion. If the renunciation of

[53] *Japan Times*, August 15, 1959, p. 8.

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war had included an explicit provision for self-defense forces its propaganda effect would no doubt have been greatly weakened. Possibly some drafters of the Constitution omitted a self-defense clause in order to make the renunciation of war appear more revolutionary than it was in actuality. The world would be allowed to believe that Japan was completely and perpetually disarmed by the terms of her Constitution, but, by means of a sophisticated interpretation, Japan would be allowed to arm and make war for self-defense.

If Article 9 helps to prevent the recrudescence of irresponsible militarism in Japan, it will have made a positive contribution to world peace. On the other hand, if it prevents the development of the defense forces necessary to deter aggression it may ultimately prove to have served the cause of war rather than that of peace. The ambiguities of the provision for the renunciation of war arise largely from the fact that its terms are new to constitutional law and relatively new and ambiguous in international law. If the renunciation of war were merely a declaration of policy by the Japanese Government or merely a statement of political ideal incorporated in the Preamble of the Constitution, it would probably not be the subject of much legal controversy. However, it was inserted into the body of the Constitution and is regarded as a binding commitment on the Japanese Government and people. It is not surprising that it now presents an extremely difficult and controversial problem in constitutional interpretation.

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"Le système politique de l'Angleterre a été plus admiré que bien compris."—Pontus E. Fahlbeck

"Curiously enough, more thought has been devoted to explaining why everybody else differs from the British than vice versa."—Norton E. Long

ON THE DANGERS OF COPYING FROM THE BRITISH

IN THE fifteenth century, John Fortescue wrote of the superiority of a regime of what he called *dominium politicum et regale.* Many times since then the British system of government—however understood to operate at the time—has been held up as a model to be emulated. And it has in fact been emulated, in many attempts at the new modeling of political institutions since then. Two distortions, however, have typically entered into these attempts: in the first place, the actual operation of the British system of government has been misunderstood by the vast majority of commentators; in the second, institutional change has regularly outpaced the popular interpretations, which live on to obscure rather than to facilitate understanding. The present study will survey some of the more recent attempts to adopt, or urge the adoption of, the central features of the British constitution, in Germany, France, and the United States; examine critically the interpretations of British institutions on which they were based; and draw attention to some facts which, while hitherto neglected, are of central importance, and will have to be taken into account in future commentaries.

"Genuine" Parliamentarism, Weimar Version

The German constitution of 1919, the "Weimar" constitution, which may conveniently be considered first, was consciously organized on the basis of a particular interpretation

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of British institutions. The situation, briefly put, was this. A considerable body of opinion, numbering among its adherents Max Weber, favored a strong Presidency for the First German Republic that was to be created at Weimar. A strong Presidency would be consistent with the traditional dominant position of the executive in Germany, and the movement for a strong Presidency probably received impetus, in addition, from the example of Woodrow Wilson's performance as American President.[1] At the same time, the democratic parties which found themselves in the majority at the Constituent Assembly had agitated for years, under the Empire, for the institution of cabinet responsibility to the legislature; they had in fact made it one of the central points in their programs, and were too far committed to the idea of the responsible cabinet for it even to come into question.

A dilemma was thus presented to Hugo Preuss, who, as Minister of the Interior in the Provisional Government, was charged with preparing a draft constitution for submission to the Constituent Assembly: American-style Presidential executive or British-style parliamentary one? Preuss resolved this dilemma in a creative and ingenious way with the aid of a new interpretation of parliamentary government which had appeared in the previous year, Robert Redslob's *Die Parlamentarische Regierung in ihrer Wahren und Unechten Form*.[2]

Redslob's thesis went as follows. The essence of "genuine" parliamentarism (that is, the English system), according to Redslob, is that in it there exists a balance of power between "executive" and "legislature." Thus neither may act irresponsibly, each being constantly checked by the other. If the legislature gets out of hand, the Prime Minister may dissolve it; if the Cabinet goes too far, the parliament may bring it down by a vote of "no confidence." In the last analysis, the electorate is appealed to through the dissolution of the House of Commons, and decides the issue.

In France under the Third Republic, on the other hand,

[1] For Weber's potent advocacy of the strong Presidency, see Max Weber, "Der Reichspraesidenten," *Berliner Boersenzeitung*, February 25, 1919 (reprinted in Max Weber, *Gesammelte Politische Schriften* [Munich, 1920]), pp. 390–393.

[2] (Tuebingen, 1918).

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the President's power of dissolution is never used. No French President has cared to follow the unhappy example set by Marshal MacMahon. Thus no equilibrium between executive and legislature is possible, Redslob goes on. The scale is tipped in favor of the legislature, which may then overthrow cabinets and play musical chairs with ministerial seats with impunity. Why—Redslob asks—does the French President never dissolve the assembly? Because he is its creature; it elects him; he has no independent will; he has no separate source of legitimacy. The British Prime Minister, however (according to Redslob), is appointed by the monarch, and thus has a source of legitimacy independent of the parliament. This gives him the independence necessary for him to wield an effective power of dissolution. The powers of the parliament are counterbalanced, and "genuine" parliamentarism becomes possible.

This interpretation of parliamentary government and variants of it, which lay chief stress on the power of dissolution, are still very much with us, of course, and the texts still copy them from each other as a description of the dynamics of British government. This view even makes its appearance in a book by two perceptive students of comparative politics which has just appeared:

> Thus the British Cabinet, which now wields the powers of the Crown, possesses a wide measure of independent executive authority as well as the power it secures through its leadership of the legislative body.
>
> This leadership, in contrast to what we may call the 'French' type of parliamentarism (i.e. of the Third and Fourth French Republics) issues not only from the traditional British two-party system, which ordinarily guarantees majority party control in the House of Commons, but also from the established right of the Crown (now exercised by the Prime Minister) to dissolve Parliament. The nonexistence or nonexercise of such a right in the 'French' system, on the other hand, accounted for the weakness of the executive and the predominance of Parliament in the structure of the latter system. [3]

Two of our most distinguished political scientists, who have also adopted this view, have even acknowledged ex-

[3] Gwendolen M. Carter and John H. Herz, *Government and Politics in the Twentieth Century* (New York, 1961), p. 28.

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plicity their indebtedness for it to Robert Redslob.[4]

Redslob's dissolution-centered interpretation of parliamentary government, then, was used by Preuss in the following way: A true parliamentary system must provide for an effective power of dissolution. To wield such a power, the German Chief Executive must have an independent political position such as, according to Redslob, selection by the monarch confers on the British Prime Minister. In a republic this could only mean direct popular election. The strong popularly-elected President is thus not alien to a parliamentary regime, but rather, in a republic, necessary to it. And so Preuss created, and the Constituent Assembly ratified, a constitutional structure in which a popularly-elected President could dissolve the Reichstag, and could appoint the Chancellor, as the King of England appoints the Prime Minister. The Reichstag, for its part, could impeach the President, thus "balancing" his powers with one of its own, and though the President appointed the Cabinet, it could be overthrown by the Reichstag. In this way Preuss managed to include both the strong Presidency and the responsible cabinet which the democratic parties wanted in a system which was perfectly democratic (for, in the event of a dissolution, the decision between President and Reichstag lay with the people) and, according to Redslob's principles, perfectly parliamentary.

Of the many faults in Redslob's thesis, and the institutional adaptation it was given at Preuss's hands, I shall cite here only three of the major ones. In the first place, the political strength of the British Prime Minister comes, today, from his position as head of a disciplined majority party, and from the appointive powers that his office gives him (this will be discussed in full below). It has nothing to do, certainly not today or in the recent past, with the fact that he is nominally appointed by the monarch. In other words, it is party politics which gives the system meaning, and not the archaic legal forms according to which it operates.

In the second place, a popularly elected President with

[4] See Karl Loewenstein, "The Presidency Outside the United States," *Journal of Politics*, Vol. 11, August, 1949, p. 455 (but also see *ibid.*, p. 462); and F. A. Hermens, *The Representative Republic* (Notre Dame, 1957), p. 123.

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powers of appointing the cabinet and dissolving the parliament does considerably more than "balance" the legislature's powers: he "overbalances" them and constitutes at the very least a continuing threat to parliamentary government.

Thirdly, the cabinet occupies a thoroughly ambiguous position in the Redslob-Preuss system, having to be responsible to some degree to two organs, both of which derive democratic legitimacy and political strength from popular election, but are given different political orientations by being elected by different constituencies. In other words, control of the cabinet is bound to become a bone of contention between a President and a legislature of differing views. The eventual subversion of German parliamentary institutions by President Hindenburg, using as his tool the "Presidial" or nonresponsible cabinet, represented, I think it fair to say, no more than the logical working out of the mutually inconsistent allocations of power in the document Preuss had created and in the mistaken theory of parliamentarism on which it was based.

M. Debré's Constitution

From the time of Bentham's summary of the rules of the House of Commons for the use of the Revolutionary Constituent Assembly, institutional innovation in France has traditionally based itself on British models. In more recent years, attempts at reform of the Third Republic within the framework of the parliamentary system—Léon Blum's, for instance—have clearly been inspired by the British example, being designed to strengthen the position of the Prime Minister and to achieve disciplined parties. Some modest movement in this direction was, to be sure, embodied in the structure of the Fourth Republic; but it was not enough for Mendès-France, who revived Blum's campaign for a strengthened Premiership and effective party discipline, which would make it possible to honor specific program pledges to the electorate.

In the constitution of the Fifth Republic, however, one has a thoroughgoing attempt, similar to that made at Weimar, to capture the essence of "true" (that is, British) parliamentarism and embody it in French institutions, dovetailed, again, with the strong executive which the needs of

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the time, and the then dominant political forces, demanded. Ironically—perhaps tragically—the interpretation of British constitutional practice followed was again substantially that of Robert Redslob, which had been adopted by his colleague at the University of Strasbourg, Raymond Carré de Malberg, and taken up with enthusiasm by Michel Debré, chief author of the new constitution.[5] One had again the strong President, not elected by the parliament but removable by impeachment, "balancing" by a power of dissolution the Assembly's right to overthrow the cabinet.

Dissolution and impeachment, parliamentary responsibility of a cabinet appointed by the President—these devices, one should hardly have needed to point out, would scarcely be able to produce in France a genuine parliamentary regime, even without the provision for Presidential dictatorship which was written into Article 16 of the constitutional document. For example: the responsibility of the cabinet to parliament is rendered quite meaningless by the powers and political position given to the President—policy is necessarily set by the President of the Republic described in the Constitution, yet *he* is not responsible to the assembly. Surely nobody believes that today impeachment is an effective political check on a popularly-elected executive. In other words, if the assembly should overthrow a cabinet there is nothing to prevent a President's appointing a new set of men—or even the old set reshuffled—to carry out precisely the same policies.[6]

Moreover, it should surely be clear by now that in a multiparty system dissolution of the assembly cannot be expected to have the meaning traditionally ascribed to it in Britain's two-party system: that the electorate provides the resolution of the issue at stake by furnishing a parliamentary majority to a single viewpoint. Again, it is party which determines the meaning which the constitutional forms will have.

Yet it is these two mechanisms which are the central features of the British constitution, neo-Redslobian version, the methods by which executive and legislature are supposed to

[5] See Nicholas Wahl, "The French Constitution of 1958: The Initial Draft and Its Origins," *American Political Science Review*, Vol. 53 (June 1959), p. 378.

[6] This is in fact what happens in Peru, which has constitutional arrangements similar to those of the Fifth Republic.

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control each other: overthrow of the cabinet, dissolution of the parliament. In French politics under the new constitution, these mechanisms will scarcely operate at all; they can certainly not operate so as to provide a harmony between divergent wills.

The View From Across The Atlantic

The United States has, of course, had at least its share of constitutional Anglophilia, its visions of change blurred, again, by the double refraction of change within Britain and misunderstanding on the part of the would-be reformer.

Alexander Hamilton's admiration for British institutions is well-known. Curiously enough, for Hamilton the specific genius of parliamentary institutions, as they operated in eighteenth-century England, was to be found in their amenability to control by bribery, which ensured that the rich (who were likely, one recalls, to be also the able and the well-born) would rule; [7] and as Secretary of the Treasury he is said to have won votes for the Administration's program by the judicious payment of gratuities to members of the Congress.

For Calhoun, on the other hand, the essence of the British system was of quite another sort. The triple assent of Crown, Lords, and Commons necessary for the passage of an Act of Parliament signified, for Calhoun, that all the "great interests" of the realm concurred in its objectives; and he took the successes of Britain under this system as support for his advocacy of the system of "concurrent majority," under which each major interest of the nation should have its veto over legislation.[8]

By the time Woodrow Wilson came to write *Congressional Government* and to stress, like Calhoun, those features of British institutions which appealed to his own predilections, the British system of government had undergone further transformation. For Wilson's Calvinist conscience, the crucial feature of the British Constitution lay in the Prime Minister's responsibility before the people, mediated through

[7] Jefferson recorded this view of Hamilton's in his diary for April, 1791. See Saul K. Padover, *The Genius of America* (New York, 1960) p. 81.

[8] See his *A Disquisition on Government* (C. Gordon Post, ed., Liberal Arts Edition [New York, 1953]), pp. 75–80.

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parliament and party. Congressional government was committee government, abhorrent because it diffused and concealed responsibility. But a Prime Minister was held responsible by the parliament and the people for the acts of his government. If the people, through their representatives, repudiated his policies, he must step down. If the crucial mechanism in Redslob's British constitution was dissolution of the House of Commons, and in Calhoun's concurrence in legislation by Crown, Lords, and Commons, in Wilson's it was surely resignation of the Prime Minister.[9]

There have been many who have urged American adoption of British political institutions in recent years, prompted in the main by understandable misprision of the workings of Congressional government. Reform proposals of this type have come to focus of late—correctly, in my own view—on the workings of party in Great Britain, rather than on the formal governmental procedures to which previous generations of American students of politics had principally directed their attention. It is on party reform, in other words, that most of the current generation of institutional Anglophiles have taken their stand.

Here, surely, we are on firmer ground. Yet debate with this focus, too, it seems to me, is all too often based on one-sided interpretations of a British polity which, if it ever existed, does not exist today.

What is the conception of the British party system which, at times explicitly, but always at least implicitly, inspires the contemporary American movement for party reform? I think it is something like this. In Britain, each of the two parties has a coherent program which it presents to the electorate. The party winning a majority of seats in the House of Commons proceeds to pass into law the party program, now embodied in government bills. The leadership can en-

[9] Wilson himself apparently contemplated resigning as President on two occasions when it appeared that Congress might reject bills in which he was especially interested. See W. E. Binkley, *The Powers of the President* (New York, 1937), p. 228. The parallel with a Prime Minister's resignation after losing a vote of confidence is clear. Similarly, it is reported that Colonel House believed that, if Wilson lost to Hughes in the election of 1916, he should appoint Hughes Secretary of State and then resign together with the Vice President so that Hughes could take over the government immediately. Alexander L. and Juliette L. George, *Woodrow Wilson and Colonel House* (New York, 1956), p. 155.

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force party discipline in voting since, if the backbenchers desert the party, it will not carry the division; the Prime Minister will then dissolve the House, and they stand in danger of losing their seats. Furthermore, the party may expel them, and thereby ensure their defeat at the polls, since the electorate votes for parties, not for individuals. On the other hand, the parliament limits the Prime Minister's use of his vast powers by its ability to force him to resign by a vote of no confidence.

A Critical Look At The Standard Interpretation

In the words of the advertisement: what's wrong with this picture? Let us look in turn at its three major features: the nature of the party program, the maintenance of party discipline by the threat of the loss of one's seat via dissolution and expulsion from the party, and the vote of no confidence in the cabinet, and try to determine how well the conception corresponds to reality in the British political system of today.

First let us look at the parties' programs. The program of a British political party, as embodied for example in the traditional election manifesto, is thought of, in the point of view we have been describing, as a series of more or less specific pledges for government action which apply traditional party doctrine to the political situation of the time. While this view is not wholly inaccurate, it appears on closer examination to be true only within rather narrow limits. In the first place, this describes the election programs of the parties of reform rather than of the Conservatives, who show no signs of shame at going into an election not only without specific pledges of legislative action, but often with no more "program" than anti-socialism and vague reassurances that all will be well under a Conservative government. It is only in recent elections that the Conservatives have used an election manifesto at all.[10]

In the second place, that portion of a government's output of decisions which consists of fulfillment of the pledges of its election program constitutes a rather small fraction of the whole. Decisions in the vital area of foreign policy, for

[10] Perhaps the quite atypical pledge to build 300,000 houses adopted by the 1950 Party Conference, probably against the better judgment of the leadership, has incorrectly been assumed to be the usual thing for the Conservatives.

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example, can, of course, only rarely be "programmed" and certainly not for any substantial period ahead.[11] Surely the most "programmatic" government in the whole of Britain's parliamentary history was the Labour government of 1945-51. It certainly did not run on an election program of rearming Britain or engaging in "cold war" with the Soviet Union, though this is in fact what it did. Similarly, crucial budget decisions must be made annually not only on the basis of what was said at election time, but also with a view to the condition of the balance of payments and the retail price index.

In the third place, even the Labour Party is discovering that there is such a thing as a program which is too specific, a doctrine which is too well-defined, an ideology which is too firmly established; that the "conventional wisdom" of the political scientists has been right after all in saying that, in a two-party system, the party acting rationally will have a program which is vague and moderate, not specific and doctrinaire. In short, it seems to me that it is quite unsound to view the "British" type of party program (that is, that of Labour in past elections) as a norm to which United States parties, to fulfill their role in a two-party system, should try to aspire; quite the contrary is in fact true: the American type of party program is normal (in both senses) for a two-party system. What the leadership of the Labour Party has done, in the fight to drop "Clause 4"—pledging the nationalization of industry—from the party constitution, is to realize this and try to adapt the party's program accordingly.

This has certainly been the road the West German Social Democrats have taken. The Christian Democratic Union (CDU) has made itself into the kind of party that flourishes in a two-party system—inclusive of people of varying social and economic characteristics, with a vague and moderate program—while the Social Democratic Party (SPD) has tried to compete with it on a basis appropriate to a party in a multi-party system: with an elaborate ideology and a loyal clientele consisting of a single class-defined group which constitutes a minority of the population. The recent changes in the SPD's program and tactics are clearly an

[11] Compare the interesting comments of C. B. Marshall in *The Limits of Foreign Policy* (New York, 1954), pp. 11–34, and *passim*.

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adaptation to the two-party pattern of politics developing in the Federal Republic.

Let us now turn to consider the second part of the standard model of British politics favored by most American observers: the maintenance of party discipline by means of the threat of dissolution and loss of parliamentary seat. This is thought to constitute the cabinet's means of control over the party's backbenchers. The cabinet, for its part, is kept within acceptable bounds because outside them it faces backbench revolt and overthrow. While in general this view has some points of resemblance to reality, several reservations need to be entered. In the first place, actual overthrow of a government as a result of a backbench revolt has not in fact occurred since the decline of the Liberals restored Britain to effective two-partyism, and no responsible observer ever assumes it is likely to occur. The existence of the possibility of a revolt which will assure the success of a motion of censure may have at most a marginal effect in strengthening those informal restraints on the freedom of action of the top echelon of party leadership which are in fact the daily operative ones: reports through party channels of sentiment on the back benches; the manifestoes of party "study groups"; and especially the greater consideration that must be paid to the views of a dissident member of the inner leadership when they are thought to represent a sizeable body of sentiment in the House.

But why does the Cabinet pay attention to the views of the party rank-and-file? Why should it try to anticipate and head off dissidence on the back benches? Surely not because it fears loss of its majority in the House of Commons as constituted *at present,* but because it fears loss of its majority in the *next* House of Commons, the one to be chosen in the next elections. If a policy provokes defections in the House, in other words, it is likely to promote defections in the country; while the opposition will seize on the evidences of dissidence within the majority party to substantiate its argument that the policy in question is a bad one, and be able to add that a party which is internally divided cannot rule the country. In other words: a loss of support in the House is significant only insofar as it presages, and contributes to, a loss of support among the voters.

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On the other hand, the nature of the mechanisms through which party discipline is assured are generally misconceived. Dissolutions are called nowadays to synchronize with highs in the barometer of public opinion favorable to the party in power, and not to bring dissident backbenchers to heel. Used for the latter purpose, dissolution—and the threat of dissolution—would certainly be a kind of policy of "massive retaliation," standing a good chance of wreaking destruction out of proportion to the challenge on aggressor and defender alike (for the Government would be placing its own existence in jeopardy needlessly), and quite out of place in the limited warfare and guerrilla combat of daily parliamentary life.

Refusal of party reendorsement, though a more plausible method of exercising control, is actually not often used for purposes of discipline. It is common knowledge that isolated acts of revolt do in fact regularly go unpunished, and we now have the evidence of Leon Epstein's study of the fate of those who rebelled over the Suez issue [12] to suggest that deviations from the party's position do not regularly draw reprisal so long as the local constituency organization continues to support its Member. In other words, the definitive withholding of reendorsement, and the disciplinary power this confers, remains in the hands of the constituency party, not the national leadership.

In the case of persistent refusal to follow the leadership on major issues, the national Labour Party may be moved to run a candidate against a rebel who has been reendorsed by his local organization. Such extreme measures were taken against Konni Zilliacus, who had gone so far as to rebel against a Labour government with the paper-thin majority of 1950–51. But this happens rarely on the Labour side, and never, so far as I know, among the Conservatives.

In general, then, although the mechanisms for securing party discipline which are usually cited continue of some significance, I strongly suspect that some other factors are actually more important: unwillingness to give aid and comfort to the opposition by embarrassing a Government of your own party; the desire to remain in favor with the party

[12] "British M.P.'s and Their Local Parties: The Suez Cases," *American Political Science Review*, Vol. 54 (June 1960).

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leaders as a means of promoting your own political career; and simply dumb party loyalty. Until the attitudes of M.P.'s are surveyed in detail, these will remain matters of speculation; but I would guess that it is these subtler mechanisms which actually operate, rather than the more spectacular ones usually cited in the literature.

How To Misunderstand The British

There are many pitfalls which await those who would understand the workings of British institutions and, accordingly, many dangers in attempting to copy them. There is, in the first place, the duality of form and reality which runs through the whole of British political life and renders it thoroughly ambiguous to all observers, British as well as foreign. The system changes gradually over the years; old forms remain under the gloss of innovation. One hardly knows, in the case of contingencies which arise only rarely, whether the traditional method of meeting them is now obsolete, or not. This problem is intensified although not created by the fact that the British Constitution is not embodied in a document, even in the highly approximate fashion in which the Constitution of the United States describes the actual operations of the U. S. government.

In the second place—as has already been suggested—the reality of British politics is determined less by the legal institutions which pattern the processes of the making and execution of laws than by the party system. But while legal forms may be borrowed from elsewhere, one can hardly institute a party system by fiat. The nature of the party system will depend on the distribution of political opinion, the structure of interests, the religious census, ethnic geography, and a host of other factors which must be taken by the innovator as given.

Perhaps most important, though at the same time the most difficult to handle intellectually, are those elements of political culture—attitudes, values, style of behavior—which make the British political system operate as it does in Britain, even though precisely the same apparatus, even if it could be adopted *in toto,* would work quite differently elsewhere. In fact, British institutions have suffered "sea changes" when exported abroad. The Union of South Africa, or for that

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matter Ghana, before it adopted a Presidential regime, used the machinery of British parliamentarism in ways quite different from those normal in the mother country. One has of course to handle the intangible features of so-called "national character" very gingerly, and to rely on their explanatory power only in the last resort. Yet who would deny that the restraint which a British cabinet shows in the use of its vast powers—for example, its abiding by the rules of the game as a matter of course, or the mannered gentility which constitutes accepted parliamentary style—must be attributed in some measure to the aversion to self-assertiveness, the passion for what is correct, the horror of making a fuss, which are standard features of the behavior of the English outside of politics as well? Similar observations should no doubt be made in partial explanation of that central feature of British constitutional history, the fact that the monarch and the privileged classes have been content to relinquish peacefully over the years their special political positions. Contrast this with Prussia and the German Empire!

An additional reason for the unsuitability of the British example for imitation lies in the fact that British society is after all at a specific stage of development, its economy mature, the religious question settled long ago, the integrity of the national domain established beyond question. Given circumstances like these, perhaps, restraint and not scheming ambition may accompany the possession of power. For most of the countries of the world, and especially for those which are newly independent, perhaps an eighteenth-century constitution of checks and balances, and a Madisonian view of political behavior, are more appropriate models than the institutions possible in the politer politics of a mature society.

Why The Imitations?

British institutions have been generally admired and emulated through the centuries—whether they were those of a strong monarchy, a limited monarchy, a system of balanced class interests, a parliamentary oligarchy, or a party democracy. This curious fact suggests the possibility that the institutions have been admired not for themselves, things that have changed and are still changing, but for reasons which may be altogether extrinsic to them.

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In the first place, I think one has to acknowledge in support of this possibility that Britain's world position has made her system at least a candidate for emulation. National power, in this respect as in others, means international prestige. How many states in the market for a new constitution consider the Swedish model, for example, admirable though it is? How many constitutional theorists try to capture the essence of Costa Rican institutions?

In the second place, I suppose, there is the fact that the British are obviously so thoroughly satisfied with their political institutions. They do not form leagues to overthrow them, as do the French; nor continually ask themselves, in books and articles, what's wrong with them, as do the Americans. Instead, they travel the world expressing polite amazement that their hosts do not conduct their affairs in the natural and altogether satisfactory way in which such things are done in Great Britain. The foreigner must assume that, if the people who live under a political system are in the best position to pass judgment on it, there must be a sound basis for this self-satisfaction. This is not necessarily the case, however; the English are, after all, an abnormally self-satisfied people. They are satisfied with their miserable cooking; they are satisfied, for some reason, with their lack of central heating; I suppose some of them are even satisfied with their abominable popular press, since its worst representatives continue to thrive.

To approach the problem in another way: What features of British political life do foreigners usually admire? The civil liberty which the individual enjoys—but that has been present for centuries, after all, long before the institutions of government evolved to their present stage. The lack of violence in politics—but there have been no violent changes of regime since 1688. The power to govern effectively which is conferred on the winning party—this, to be sure, is clearly a property of the constitution. And it is surely this feature of British politics which has attracted the present generation of American reformers. As Earl Latham has pointed out, they are by and large liberal Democrats, concerned—I would say, rightly—with the mounting agenda of unfinished business ignored by the Congress as it is now organized, and hopeful that a disciplined Democratic party led by a vigorous

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President could put things right.[13] Although I find myself in political agreement with this school of thought, I think that the prescription offered misconceives the nature of the problem. After all, it is simply not feasible, given the continued existence of the American South, to reorganize the Dixiecrats out of existence, nor to "discipline" them to vote for things they are against, by threatening them with expulsion from the party or otherwise. This is surely the nub of the problem of a disciplined Democratic party. Put differently: if we have disciplined parties, there will be more than two.

What Actually Happens In Britain?

Hitherto, the standard explanations of the dynamics of the British system of government made in recent years have centered on the mechanisms of overthrow of the government and dissolution of the House of Commons. Robert Redslob—whose conclusions were based principally on his study of the constitutional history of the seventeenth and eighteenth centuries—saw the problem as that of the establishment by "government" and "parliament" of reciprocal controls over each other. Clearly, the assumption here is that the two organs embody separate political wills which are to be kept in balance. Of course this was true for much of the seventeenth and eighteenth centuries, when the members of the government were the King's political friends, to be jealously checked by the people's representatives. Overthrow and Redslobian dissolution can occur, of course, only when there is a divergence of wills between the government and the parliamentary majority. Now this condition was normal, perhaps, for the eighteenth century; it even occurred in the 1920's and '30's, when three parties had sizeable parliamentary contingents; but since the reestablishment of two-partyism in Britain, it no longer occurs.

Currently popular interpretations of British institutions, although they take account of the central importance of party discipline, continue to rely on the explanatory power of mechanisms applicable to a system of divergent wills which no longer exists; and so the appropriate conditions tend to be manufactured, and the real, but obsolete, clash

[13] See, for example, James M. Burns, "Two-Party Stalemate: The Crisis In Our Politics," *The Atlantic* (February 1960).

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between government and parliament is transmuted into an imagined one between the government party and its own backbenchers. Paradoxically, although the unwillingness to acknowledge the existence of party of the nineteenth-century professor of constitutional law is no longer with us, although party has been accepted as a central feature of the landscape, the mechanisms stressed in interpretations of parliamentarism are still the formal and legal ones relied on a hundred years ago. In the texts, at least, the Constitution of 1782 lives on, the government's finger ever resting on the trigger of untimely dissolution, the parliamentarians who form a temporary majority for the government ever ready to desert it in the division lobbies.

There does exist a dichotomy of discordant political wills in today's Britain, but it is not between government and parliamentary majority, nor yet between a government and its backbenchers, but between party and party. Overthrow of a government by virtue of its defeat on a vote in the House of Commons could take place today only after party realignment; and after a dissolution of the House it is between the parties that the electorate will choose, not between cabinet and parliament.

Within the parties, on the other hand, the crucial fact is that policy is set by the party leadership. Accordingly, conflict of any importance within a party, conflict which may result in a change of party policy, is necessarily conflict over the occupancy of positions of leadership and the control over policy which they give. In other words, conflicts over policy do not take place between leadership and ordinary members; the rank-and-file, as rank-and-file, follows its leaders. Meaningful conflict must be between rivals for the leadership positions. The problem is not a Madisonian one: how shall each authority check the other? It is Aristotelian: who shall rule? Or better: party life in Britain illustrates Plato's maxim, that there can be no successful revolt without a split within the leadership group.

This, after all, is what the data show. The history of the Labour Party demonstrates quite clearly that the "pay-off" in intraparty disputes over policy comes on the votes taken at the Party Conference on the membership of the Party Executive. For the Conservatives, who run their affairs in a politer

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and less democratic fashion, such disputes are settled either in the private consultations which lead to the choice of a new occupant for a leadership become vacant through ill-health or death, which is then presented to the parliamentary party for ratification (the selection of Bonar Law and Baldwin); [14] or perhaps when his leading colleagues suggest to the Party Leader that the time has come to resign (Balfour and Austen Chamberlain).[15] Neither Eden nor Neville Chamberlain, the two Prime Ministers of recent years who, in effect, lost the confidence of the House of Commons, went through the textbooks' rigmarole of being censured, dissolving the House, and awaiting the electorate's verdict, before resigning.[16]

The constitutional mechanisms, then, settle questions between the parties. Within the parties, one must look to the mechanisms which define the membership of the leadership group—its selection and change. In other words, the zone of central importance for understanding British parliamentary life lies less at the margin of the parliamentary party, where members are purged or vouchsafed readoption, than at the margin of the leadership echelon, where major party figures are promoted and purged. A reorientation of research and commentary on British parliamentarism which will take this fact into account is long overdue. And then only after what actually happens in British political life is correctly perceived and understood will it make sense for the foreign observer to try to learn from British experience.

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14 R. T. McKenzie, *British Political Parties* (New York, 1955), pp. 30–32; 40.

15 See *ibid.*, pp. 80; 98–100.

16 For an interpretation of the Chamberlain and Eden resignations at variance with this, see William G. Andrews, "Three Electoral Colleges," *Parliamentary Affairs* (Spring 1961), pp. 182–184.

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THE RATE-MAKING POWER OF THE STATE IN THE CANAL ERA: A CASE STUDY

THE issue of government regulation of transport rates has long been a prominent one in American politics. Intrigued by the measures of Granger-dominated state legislatures in the 1870's and by the struggle for federal legislation in the 1880's, American historians have given relatively little attention to the pre-Civil War antecedents of regulation and rate-making by government.[1] Students of the canal era, 1820–1860, have recently emphasized anew the significance of collective action that produced the great state canal projects, and their studies have prompted a major reinterpretation of the role of early nineteenth-century government.[2] But the significance of state enterprise in its operational phase, beyond promotion and construction, is often overlooked even in these studies. Once the state canals went into operation, the toll schedules adopted by public officials responsible for canal operation were destined to influence profoundly the economic development of regions served by the public works. The State of Ohio provides a useful example of employment of rate-making powers for special purposes by state government in the canal era.

NOTE: Research for this article has been supported by the Social Science Research Council and the Dartmouth College Faculty Committee on Research. The author is indebted also to Professors Paul W. Gates and Douglas F. Dowd of Cornell University for criticism and suggestions.

1 Works dealing with regulatory activities of the state include Frederick Merk, "Eastern Antecedents of the Grangers," *Agricultural History*, Vol. XXIII (1949), pp. 1–8; David M. Ellis, "Rivalry between the New York Central and the Erie Canal," *New York History*, Vol. XXIX (July 1948), pp. 268–300; and Lee Benson, *Merchants, Farmers, and Railroads: Railroad Regulation and New York Politics, 1850–1887* (Cambridge, 1955). Ernest L. Bogart, *Internal Improvements and State Debt in Ohio* (New York, 1924), pp. 88–104, is a discussion of Ohio canal-tolls policy; however Bogart did not treat the protectionist tolls that represented the most significant use of the rate-making power, nor did he deal with the Pennsylvania & Ohio Canal. His discussion of the 1850's is useful, but it casts no light upon the attitude of forwarding merchants toward canals and railroads.

2 For a synthesis of recent studies, see Carter Goodrich, *Government Promotion of American Canals and Railroads, 1800–1890* (New York, 1960).

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I

The Ohio canal commission was empowered to establish toll schedules on the public works in 1825, when construction of the first state canals was authorized by the legislature. A few years later the commissioners explained publicly the broad purposes of toll schedules. They had fixed tolls, they wrote,

> with a view to encouraging exportation; to develop the various resources of the country; to encourage a transit through our canals; to equalize, as far as practicable, the benefits of navigation between various portions of our State; to raise a revenue for defraying the interest on the capital invested, and at the same time not to discourage the transportation of articles of great weight and small value [nor] to drive property from the canals [into] other channels.

Clearly, then, the setting of toll schedules, "a subject of much delicacy and responsibility," would require a careful balancing of conflicting purposes and interests.[3]

Discrimination in tolls was apparent from the time the Ohio canals were first opened to traffic. The first schedules, adopted in 1827, provided a reduced rate for all freight carried more than one hundred miles and, beginning in 1833, an additional reduction was given to freight carried more than two hundred miles.[4] In addition to this long-haul discrimination within the state, the canal commission adjusted tolls to encourage interregional shipments via the all-water route from the Hudson River to the Ohio River, by way of the Erie Canal in New York, Lake Erie, and the Ohio Canal from Cleveland to Portsmouth. When the Ohio Canal opened for its length in 1833, the canal board instituted toll reductions of about fifty per cent on all freight; and by an interstate agreement that became effective in 1834 the New York and Ohio canal authorities jointly reduced rates further by twenty-five per cent (a reduction of twenty-two cents per thousand pounds) on through freight from Albany to the Ohio River.[5]

[3] Canal Commission, 11th Annual Report (1833), *Ohio Senate Journal, 1832–33*, p. 346.

[4] *Ibid.*

[5] "Rates of Toll" (broadside, July 5, 1827), copy in Ohio State Library (Columbus, Ohio); *Ohio Senate Journal, 1833–34*, p. 425.

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Forwarding companies in New York and Ohio attempted to frustrate the intention of state authorities, increasing Albany-Portsmouth through-freight charges by eighteen cents per thousand pounds. This would have destroyed most of the saving that the toll reductions were to have provided, and Ohio responded with a bold use of the state rate-making power. The canal board published a schedule of maximum freight charges to be levied by the forwarders, and ruled that any goods shipped at higher rates would be charged with double tolls. This attempt to dictate rates evoked indignant opposition from the forwarding companies, and to avoid double tolls some New York companies issued bills of lading that conformed with the prescribed rates, collecting a premium in cash at the time of delivery. The canal board stood firm, however, and at the end of the year the forwarders capitulated, reducing their charges to the allowed levels.[6]

II

The 1834 tolls prevailed in Ohio, with some increases in 1837 and cutbacks in 1838, until the early 1840's. Then a number of factors forced Ohio to reconsider its toll schedules. These included intensified river and turnpike competition, declining agricultural prices, completion of new canals in Pennsylvania, and extension of two major trunk-line canals to Toledo in 1843 and 1845.

The net revenues of the Ohio canals increased annually until 1841, when there was a decline in revenue caused partially by intensified competition among shippers on the Ohio River. River freight charges fell precipitously, attracting to New Orleans surplus produce of central Ohio that had in earlier years been shipped to eastern markets via Cleveland. For the same reason, the surplus of the Muskingum valley in southeastern Ohio was sent southward by river instead of northward to Dresden on the Ohio Canal for reshipment to Cleveland.[7]

[6] *Ibid.*, pp. 425–426; R. Putnam to Alfred Kelley, August 9, 1834, Ohio Canal Commission Papers, Ohio State Archives (Columbus, Ohio). For freight rates in 1833 see Piqua (Ohio) *Gazette*, October 5, 1833.

[7] Board of Public Works, *Third Annual Report* (Columbus, 1839), pp. 5–6; *Seventh Annual Report* (Columbus, 1844), p. 6; *Fifth Annual Report* (Columbus, 1842), pp. 3–4. Board of Public Works hereinafter cited B.P.W.; the informal term "canal board" is used in the text to refer to both the canal commission and its successor agency, the board of public works.

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Revenues on the Miami Canal, which connected Dayton and Cincinnati, also declined in 1841 and 1842, but for a different reason: turnpike competition.[8] Low freight charges on the Ohio River ordinarily would have attracted a greater volume of traffic on the Miami Canal, there being as yet no alternate export route northward to Lake Erie from southwestern Ohio. The state had granted considerable public aid to turnpike companies since 1837, and the Cincinnati hinterland was the center of most of the extensive new turnpike construction in the state. Major ports on the Miami Canal, including Dayton and Hamilton, were by 1842 connected with the Queen City by new roads that provided shorter, less expensive routes than did the canal.[9]

An increasing volume of traffic on the National Road similarly cut into canal revenues in this period. National Road tolls were charged only on the vehicle and not on the weight of freight carried. It was possible, therefore, for teamsters to haul eastern merchandise to Ohio and to make the return trip carrying bacon or produce at very low charges. To return with empty wagons would have involved paying the same tolls as were levied on full loads.[10] Still another strand was added to the transport web emanating from Ohio in 1835, with completion of the Pennsylvania System, the state-owned canal-and-railroad route from Pittsburgh to Philadelphia. By 1843 the flour, pork and tobacco of the Muskingum valley were being diverted to Philadelphia by way of the Ohio River and the Pennsylvania works, further affecting Ohio Canal revenues.[11]

Ohio's response to these competing facilities involved, first, imposition in 1844 of rate-fixing agreements among the turnpike companies within the state. A turnpike toll schedule adopted in April, 1844, provided for increased charges on most vehicles. The competition of the National Road was a problem easily solved since the canal board had charge of

8 *Ibid.*, p. 13; B.P.W., *Sixth Annual Report* (Columbus, 1843), p. 12.

9 See William F. Gephart, *Transportation and Industrial Development in the Middle West* (New York, 1909), pp. 141–145; Francis P. Weisenburger, *Passing of the Frontier, 1825–1850* (in Carl Wittke, ed., *History of the State of Ohio,* Vol. III [Columbus, 1941]), pp. 106–107.

10 B.P.W., *Seventh Annual Report,* p. 6.

11 *Ibid.*, pp. 6–7.

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the road within Ohio. In May, 1844, the board issued a new toll schedule for the road that embodied increases of one hundred per cent on many vehicles and instituted a scale of charges based on weight of load.[12] New competition was also met by reduction of canal tolls. On the Warren County Canal (a branch line of the Miami Canal completed in 1841) tolls were removed altogether because of turnpike competition.[13] On the main line of the Miami Canal, the Ohio Canal and all branch lines, tolls were reduced considerably in 1843. This was necessitated by a decline in agricultural prices during the post-1839 depression as well as by the advent of competition from other routes. Rather than price Ohio farmers out of eastern markets by high tolls that swelled transport costs, state authorities yielded to demands for toll reductions.[14]

The competitive situation on the northern section of the Ohio Canal was further complicated in 1845 by completion in Pennsylvania of the Erie Extension Canal from Beaver, on the Ohio River, to the lake-port town of Erie.[15] The Erie Extension posed a threat to the privately operated Pennsylvania & Ohio Canal (the P. & O.), which ran from Beaver westward to Akron, where it linked with the Ohio Canal. The P. & O. had been completed in 1840 and passed through the rich coal and dairy country of the Mahoning valley. It was the route for large shipments of coal to the Lakes market at Cleveland; in addition, it tapped the Pittsburgh trade, providing an export route to Cleveland for the manufactured goods of western Pennsylvania. Pittsburgh merchants also employed the Ohio Canal-P. & O. route to import potash, pearlash, salt and other products from the

12 *Ibid.*, p. 37; B.P.W., *Eighth Annual Report*, pp. 28–34; Weisenburger, *op. cit.*, p. 107.

13 B.P.W., *Eighth Annual Report*, p. 19.

14 B.P.W., *Seventh Annual Report*, p. 6. See also Atkins & Blair to B.P.W., December 9, 1843, Board of Public Works Papers, Ohio State Archives; hereafter cited as B.P.W. Papers.

15 There is scattered material on the Erie Extension in Lloyd Corkan, "The Beaver and Lake Erie Canal," *Western Pennsylvania Historical Magazine*, Vol. XVII (1934), pp. 175–188; see also John E. Reed and J. I. Cretzinger, "The Old Erie County Canal," Commonwealth of Pennsylvania, Department of Internal Affairs, *Monthly Bulletin* (July 1948–May 1949), ten installments.

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Lakes region via Cleveland.[16] The P. & O. was vital to the Ohio Canal trade for another reason. For a number of years through freight on the Ohio Canal had declined in volume, so that in 1845 "there was scarcely anything transported on this canal except the products of the State or merchandise designed for home consumption."[17] Such produce and manufactured goods as were brought from the Ohio valley or from New Orleans to Lake Erie came instead by way of the river to Beaver, where they were shipped to Cleveland via the P. & O. route. Completion of the Erie Extension in Pennsylvania in 1845 thus brought the town of Erie into direct competition with Cleveland for the trade of the upper Ohio valley, pivoting on Beaver.[18]

The charter of the Erie Extension company included a provision against drawbacks or discriminations that might curtail the revenues of the P. & O., which also held a charter from Pennsylvania. But nothing was to prevent the Erie Extension from establishing low across-the-board tolls that would divert the trade of the P. & O. That was exactly what the Erie Extension directorate attempted, for the company was controlled by Erie townspeople whose interest in the canal was secondary to their interest in lake shipping. Their first objective was to bring coal and other freight to Erie, even if it involved loss of revenue on the canal. To meet this threat, the P. & O. directors required the cooperation of the Ohio canal authorities, for Ohio Canal tolls between Akron and Cleveland comprised an important portion of total charges on P. & O. freight between Beaver and the lake.[19] The Ohio board accepted the necessity of cooperation. It issued an order in March, 1845, setting Akron-Cleveland tolls on most commodities passing to or from the P. & O. at the same levels as were set by the P. & O. management. This arrangement was renewed each year until the

16 Leicester King to B.P.W., April 4, 1845, B.P.W. Papers.

17 B.P.W., *Ninth Annual Report* (1845), p. 3. In 1836, 13.38 million pounds of merchandise were shipped from Cleveland on the Ohio Canal, of which 5.19 million were through freight to Portsmouth. In 1843, 13.25 million pounds were shipped from Cleveland, of which only 2.88 million were through freight. B.P.W., *Eighth Annual Report*, p. 5.

18 Clarke & Co. to L. Ransom, February 26, 1845; J. W. Allen to O. Follett, March 25, 1845; S. Dodge to B.P.W., March 28, 1845, B.P.W. Papers.

19 Clarke & Co. to Ransom, February 26, 1845; King to B.P.W., April 4, 1845, *ibid.*

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early 1850's.[20] The state refused, however, to grant similar concessions on P. & O. freight that moved southward from Akron to way points on the Ohio Canal. Such freight included southern groceries and Ohio valley goods that the state sought instead to attract northward on the Ohio Canal from its Ohio River terminus at Portsmouth.[21] Thus the state was highly dependent upon the P. & O. in the case of the Cleveland trade; at the same time it was in competition with the P. & O. for the trade south of Akron. In each case tolls policy conformed to the interests of the state.

In 1845 Ohio completed an enlarged internal improvements program undertaken in 1836. The Ohio portion of the Wabash & Erie was completed to Toledo in 1843, giving Indiana's rich Wabash valley an outlet to Lake Erie. By 1845 the branches of the Ohio Canal and the Miami Extension Canal (which extended the Miami Canal northward from Dayton to Toledo) had also been completed. The Miami Extension route between Cincinnati and Toledo was sixty miles shorter from river to lake than the Ohio Canal route, and it had less lockage. To regain the through traffic that had been lost by the Ohio Canal, the state instituted toll reductions on the Miami Extension and discriminated in favor of through freight. The products of the Ohio valley and of the South were "invited by low rates of toll," the board reported, "and even flour and whiskey, which have hitherto gone south, were, for a time, induced to take a northern direction." [22] To build the trade of the Wabash & Erie, Ohio concluded an agreement with Indiana authorities in 1846 that provided long-haul reductions on goods passing through both states. This agreement was renewed on an annual basis, apparently well into the 1850's.[23] The

[20] Dodge to B.P.W., March 28, 1845; S. Forrer and G. W. Manypenny to P. & O. Canal Co., February 11, 1851, *ibid.;* P. & O. Canal Co., Annual Report, *Ohio Executive Documents, 1850–51,* Vol. I, p. 846.

[21] B.P.W. to L. King, April 17, 1845, B.P.W. Papers.

[22] B.P.W., *Ninth Annual Report,* pp. 3, 22–24; petition of Cincinnati merchants, June 20, 1845, B.P.W. Papers; Bogart, *op. cit.,* p. 95. See also *Special Report of the Board of Public Works . . . relative to the Toll Charged on Salt, . . . January 29, 1848* (Columbus, 1848), p. 8; hereafter cited *Special Report . . . January 29, 1848.*

[23] *Ohio Executive Documents, 1846–47,* Vol. I, pp. 404–405. Renewals of the agreement are mentioned in later reports; see also Kalida (Ohio) *Venture,* March 31, 1851.

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result of the 1846 Wabash & Erie toll reductions was a vast augmentation of tonnage and a rise in toll revenues of about fifty per cent over 1845. Receipts of corn alone at Toledo increased from 30,000 bushels in 1845 to over 1,135,000 bushels in 1846.[24] A further agreement with Indiana in 1848 permitted Ohio goods to pass from the Miami Extension to the Wabash & Erie for shipment into the Wabash valley at low rates of toll. This permitted routing of Cincinnati groceries, dry goods and ironware to central Indiana by canal instead of by way of the Ohio and Wabash river steam lines.[25]

III

The objectives of all the toll policies discussed thus far were maximization of revenues by attraction of long-haul or through freight, or protection of the canals from the competition of the river, turnpikes and roads. But these two purposes did not characterize all the rate-making policies of the Ohio canal board. The primary objectives of toll schedules on certain commodities was the protection of "domestic" industry (that is, Ohio industry) from "foreign" (out-of-state) competition. As of 1848, for example, Ohio tolls discriminated in favor of Ohio-made products in the following categories: crockery, cooper's ware, glass and glassware, hops, lard oil, paper, powder, salt, starch, and woodware.[26] The system of discriminatory tolls favoring Ohio manufacturers had become, in effect, the state's technique for evading the constitutional prohibition against tariffs on inter-state commerce. Moreover the protectionist policy was not unique to Ohio, as the canal board noted in 1848:

> [It] grows out of the internal relations of the States to one another in their business intercourse. Each State finds a justification on the score of interest, in furnishing to its own citizens the cheapest transportation of the surplus productions of its industry to a market; while, as a rule of compensation and revenue, the importations are burdened with as heavy a tax as their value will bear. . . . Instances of discrimination run through the rates imposed by all the

[24] *Ohio Executive Documents, 1846–47,* Vol. I, pp. 404–405.

[25] *Ibid., 1848–49,* Vol. I, p. 145.

[26] B.P.W., *Special Report . . . January 29, 1848,* p. 5.

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neighboring States. . . .[27]

Protectionism was a producer-oriented policy. It was a policy, moreover, that divided the business community in Ohio as bitterly as national protective tariffs have traditionally divided the American business community. Manipulation of toll schedules on a protectionist basis inevitably embroiled the canal board in controversies involving the conflicting economic interests of manufacturers, merchants and consumers. In early 1845, for example, a Democratic board was succeeded by a group of Whig commissioners. Before leaving office, the Democrats (one of whom had an interest in a mill at the Ohio Canal town of Roscoe) set toll rates for the 1845 season that included an unprecedented discriminatory toll favoring flour over wheat. The avowed purpose of the discrimination was to encourage flour-milling in Ohio and to prevent Rochester and Buffalo millers from purchasing Ohio wheat for processing in New York State. Farmers and merchants immediately protested, demanding restoration of equal tolls. "It is fostering a few Millers and Coopers at the expense of ware house men and the Farmers," a grain merchant complained. "We in this County go for a Protective Tariff, but not such an unequal rate of duty as is on Wheat and Flour . . . You pamper a few at the expense of hundreds."[28] Wabash & Erie Canal shippers protested because the new tolls favored Indiana millers, discouraging the export of Indiana grain to Toledo mills. Ironically, Indiana had been setting tolls on just such a discriminatory basis on its portion of the Wabash & Erie. "But why the State of Ohio should assist Indiana in its endeavours to monopolise the manufacture of flour, I confess, I cannot comprehend," one Toledoan wrote.[29] In early October the canal board yielded to mounting pressure and restored the old rates on wheat.[30]

27 *Ibid.;* Burus, Reynolds & Co. to O. Follett, June 14, 1845, B.P.W. Papers; B.P.W., *Special Report . . . in relation to Tolls on Salt, February 5, 1842* (Columbus, 1842), pp. 5–6.

28 F. W. McCanley to B.P.W., May 14, 1845; David Chalfant to *idem.*, May 14, 1845, B.P.W. Papers. A comparable use of tolls by New York authorities is described in Neil A. McNall, *An Agricultural History of the Genesee Valley, 1790–1860* (Philadelphia, 1952), p. 131.

29 H. Reed to O. Follett, May 29, 1845, B.P.W. Papers.

30 E. S. Beach & Co. to B.P.W., August 11, 1845; John Welch to Follett, August 4, 1845; J. Blickensderfer to *idem.*, October 17, 1845, *ibid.*

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An even more controversial use of rate-making power involved tolls on salt. After 1825 the major supplier of salt to northern Ohio was the state-supported Onondaga works of New York State. Southern Ohio was supplied by the Kanawha works of western Virginia. "Domestic" salt produced in the Hocking and Muskingum valleys had a very limited market because of high production costs and lack of facilities for cheap transport. But two works undertaken as part of the expanded internal improvements program of 1836—the Hocking Valley Canal and the Muskingum River Improvement—promised to open up expanded markets for domestic salt manufacturers.[31] From 1834 to 1840 the Ohio canal board encouraged importation of Onondaga salt by low tolls on the Ohio Canal. The effect of this policy was to drive down salt prices in central Ohio; and by 1839 New York salt supplied the area along the canal as far south as Circleville in the Scioto valley. Beginning in 1841, however, domestic salt entered the Ohio Canal from the newly completed Hocking Valley Canal and Muskingum Improvement.[32] Although the state had carried domestic salt on the canals at preferential tolls for several years, discriminatory differences were sharpened after 1840 under pressure from the Ohio manufacturers. As a result, shipments of Onondaga salt from Cleveland to southern Ohio virtually ceased.[33] Completion of the Muskingum Improvement also enabled the state to control traffic on a previously free waterway, and tolls were now set on Kanawha salt at four times the rate for domestic salt, excluding the Kanawha product from the northern Muskingum valley. Tolls on New York salt were set at twice the levy on the domestic product.[34] Thus the state regulated salt marketing by use of the rate-making power, in effect allocating northern Ohio to the New York producers, central and southern Ohio (in areas

31 See B.P.W., *Fourth Annual Report* (Columbus, 1841), pp. 6–8; B.P.W., *Sixth Annual Report*, pp. 8–9; Thomas S. Berry, *Western Prices before 1861: A Study of the Cincinnati Market* (Cambridge, 1943), pp. 286–317.

32 B.P.W., *Special Report . . . February 5, 1842*, pp. 5–6; *Ohio Executive Documents, 1848–49*, Vol. I, pp. 151–152; B.P.W., *Eighth Annual Report*, pp. 14–15; T. Ewing to William Wall, January 1, 1840, B.P.W. Papers.

33 Samuel F. Vinton to L. Ransom, April 16, 1841, Marietta petition, January, 1844, *ibid.*; B.P.W., *Seventh Annual Report*, p. 8.

34 B.P.W., *Special Report . . . January 29, 1848*, pp. 10–11.

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bordering the Ohio Canal and the Muskingum Improvement) to domestic producers, and the Ohio River area to the Kanawha manufacturers.

It is noteworthy that New York State moved quickly to protect the Onondaga manufacturers from the effects of Ohio tolls. Beginning in 1843 New York paid a bounty to salt producers, and in 1845 added a rebate of Erie Canal tolls on salt destined for points in Ohio south of Newark. After 1846 New York excluded imported salt from its own canals by charging a toll fifteen times as high as that on Onondaga salt![35] These measures led immediately to demands for retaliatory action by Ohio. One Hocking valley manufacturer wrote in 1845 that New York was "just like the British or any foreign government competing for our domestic market by bidding up bounties against the infant home manufactures. If it is politic for N. York to enlarge the business of her people, it is equally important to Ohio to do the same thing."[36] The Ohio board responded by increasing the discrimination against New York salt in 1845, 1846 and again in 1847, but each time "New York increased her bounty, in one form or another, as Ohio increased her toll."[37] Under continuous pressure by merchants, particularly at Cleveland, for amelioration of the discrimination against New York salt, the legislature investigated the problem in 1848. A resolution was then adopted by the general assembly that had the practical effect of forcing the canal board to reduce tolls on New York salt. This was condemned by the Ohio manufacturers, one of whom denounced it as a "triumph gained by the Com[mission] Merchant, over the poor manufacturers of his own State. . . ."[38] A degree of discrimination in salt tolls against New York was maintained, however.[39]

35 D. H. Beardsley to Follett, September 28, 1846, B.P.W. Papers; State of New York, Superintendent of the Onondaga Salt Springs, *Annual Report, 1849* (Albany, 1850), p. 13. New York salt tolls are printed in New York, Canal Commissioners, *Annual Reports.*

36 Samuel Vinton to T. Ewing, April 5, 1845, B.P.W. Papers.

37 B.P.W., *Special Report . . . January 29, 1848,* p. 7.

38 Lima (Ohio) *Reporter,* June 17, 1845; Fuller & Walker to O. Follett, February 24, 1848, B.P.W. Papers; B.P.W., 12th Annual Report, *Ohio Executive Documents, 1848–49,* Vol. I, p. 145.

39 *Ibid., 1850–51,* Vol. I, p. 847. New York maintained its discriminatory

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In light of the often-cited view that the Whig party was closely associated with mercantile interests in this period, it may be noted that both Democratic and Whig canal boards perpetuated the protective principle. It was a Whig-dominated legislature that acted in 1848 to reduce tolls on New York salt, but even this was not a direct attack on discriminatory tolls as such.

IV

Whereas the controversy over salt tolls was marked by rivalry between New York and Ohio, the two states cooperated in an effort to meet renewed competition for the trade of the West. By a series of toll reductions in 1848 and 1849, the Pennsylvania System attracted the surplus of central and south-eastern Ohio to Philadelphia; the opening of the Illinois & Michigan Canal in 1848 provided an alternate route (via New Orleans and the river) for freight moving from the eastern seaboard to the Great Lakes. In March, 1849, Ohio and Indiana officials appealed to the New York canal board to aid in meeting this renewed competition from the river shippers and Pennsylvania for the western trade. As a result of negotiations carried on principally by Charles Butler, New York slashed tolls on corn and cornmeal by one third in 1849, and in 1850 reduced tolls on pork, lard, whiskey and other western products by twenty-five per cent. The New York authorities also instituted low tolls in 1848 on Southern groceries in order to encourage shipment via the long ocean-and-canal route from New Orleans to Buffalo and thence westward.[40]

Ohio was forced to revise its own tolls policy in 1851 to meet rising railroad competition within the state. By that time rail lines were operating between Cleveland and Columbus, Cleveland and Newark, Sandusky and Newark, and Sandusky and Dayton. In addition, the Cincinnati, Hamil-

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tolls favoring Onondaga producers at rates of ten to one from 1847 to 1849, and five to one from 1850 to 1860. New York, Canal Commissioners, *Annual Reports,* 1852–1860 (Albany, 1853–1861).

40 Butler was an Albany, New York, politician and president of the trustees of the Wabash & Erie Canal in Indiana. *Ohio Executive Documents, 1848–49,* Vol. I, pp. 144–145, 148; B.P.W., *Thirteenth Annual Report* (Columbus, 1850), pp. 17–18; Charles Butler to Follett, March 14, 1849, B.P.W. Papers.

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ton & Dayton Railroad, completed in 1851, touched three ports on the Miami Canal. The canal board therefore announced in March a general tolls reduction averaging thirty per cent.[41] The board also instituted in 1851 what may be termed "local discrimination," by which tolls were reduced between any two points served by both canal and railway. One of the board members, George W. Manypenny, was given discretionary authority to establish competitive canal tolls at Newark and other railroad towns in central Ohio. Manypenny termed the system of local discrimination "a very odious one, not to be tolerated if it can possibly be avoided, and to be only temporary when put into practice." The policy was adopted only to prevent the railroads from gaining a monopoly of freight traffic, "without any desire to deprive the railroad of its legitimate business," the board declared.[42]

In March, 1852, the state instituted a further twenty per cent average toll reduction, but the canals continued to lose business to the railways at two major points, Dayton and Newark. The Cincinnati, Hamilton & Dayton proposed a pooling arrangement whereby it would share freight between Cincinnati and Dayton on an equal basis with the Miami Canal; but state authorities refused to conclude such an arrangement. A rate war ensued, and the canal board was forced to reduce the toll on flour from Dayton to Cincinnati to a nominal one-half mill per 1,000 pounds per mile.[43]

Forwarding merchants at towns served by both canal and railroad declared that they all preferred shipping by canal, "unless compelled by the necessity of self-protection to transfer our freight to the Cars," as one wrote. However, the merchants in fact played one side off against the other, finally demanding that certain canal tolls be removed altogether.[44] State officials responded that the public works were

41 *Ohio Executive Documents, 1850–51,* Vol. I, pp. 674–675.

42 *Ibid., 1851–52,* p. 641; Manypenny to H. Beard, March 9, 1852; *idem.* to L. J. Haughey, April 2, 1852, B.P.W. Papers.

43 *Ohio Executive Documents, 1851–52,* Vol. I, pp. 640–641.

44 Petition of Newark merchants, March 31, 1852; P. Smith & Co. *et al.* to Manypenny, March 9, 1852; H. Beard to *idem.,* March 11, 1852; N. W. Graham to *idem.,* March 20, 1852, B.P.W. Papers.

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being victimized by unfair competitive practices. To the Newark merchants, Manypenny wrote in April, 1852:

> If the Warehouse men, Forwarders, Boat owners &c. were to act differently with this Board, this matter would soon be settled; but . . . no effort seems to be made, but rather a willingness to stand still and permit a kind of piracy on the legitimate business of the canal. . . . With a severe, fair Railroad competition we are content, and if the Canal cannot stand this it must fall. Treated fairly by its friends, it has nothing however to fear, but it *must* have *fair treatment*.[45]

The board's effort to maintain conditions of "fair competition" induced it to appeal to the legislature for regulatory legislation. "The time has come," the board asserted in March, 1852, "when the State should exert its sovereign power, and protect its revenues from being destroyed by these railroad companies." Specifically, the board requested repeal of all laws protecting the railroad rights-of-way from vandalism, so that "the companies would soon sue for mercy"; a law prohibiting the railroads from dealing in produce on their own account, a means by which they were realizing profits on freight even when losing on the transportation itself; and a law forbidding discriminatory railway rates that favored towns served by the canals.[46]

The railroad managers warned, indignantly, that the board's "utter jacobinism will never be tolerated at all in Ohio." At Zanesville (a railroad town on the Muskingum Improvement) a protest meeting was called, and the Democratic board was denounced as a group of dangerous locofoco radicals.[47] Nevertheless the Democratic legislature did pass a pro-rata law prohibiting discriminatory railroad rates that favored canal towns. But no penalities were attached and the law could not be enforced. The more extreme proposals of the canal board were ignored.[48] The unwillingness of even the Democratic Party (which included a powerful faction of doctrinaire anti-corporation radicals) to put teeth

[45] Manypenny to Haughey, April 2, 1852, *ibid.*

[46] *Ohio Executive Documents, 1851–52,* Vol. I, pp. 641–642.

[47] Lewis Sifford to Manypenny, March 19, 1852, B.P.W. Papers; Zanesville *Courier,* March 18, 1852.

[48] *Ohio Executive Documents, 1853–54,* Vol. I, p. 48.

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in regulatory legislation boded ill for the future of the canals. The public meeting at Zanesville, one of the many Ohio towns that extended municipal aid to railroads in this period, was indicative of the public desire to obtain rail connections and to enjoy all the advantages of railroad-canal competition. The readiness of the merchants to abandon the canals for the "iron cars" similarly presaged the problems the state works would face in the years ahead.

In 1853 and again in 1854, the Ohio board called upon the people of the state to accept an entirely new role for the canals. The board declared that in ensuing years the public ought to countenance reduced tolls and declining canal revenues. Otherwise the railroads, which were already concluding rate agreements almost every year, would monopolize the trade of the state. The board was therefore proposing maintenance of the canals, even at a loss, in order to provide a "yardstick" by which railroad rates might be measured and to a degree controlled.[49]

This proposal proved impossible to carry into effect. In the decade of the 1850's almost 2,500 miles of railroad were completed in Ohio, and the canals were intersected by rails at almost every important market center. Furthermore, in 1853 and 1854 the four great eastern trunk-line railroads (the New York Central, the Erie, the Pennsylvania, and the Baltimore & Ohio) completed direct lines from the seaboard to points within Ohio. The fight among the railroads for east-west freight that ensued made railroad-canal competition appear mild by comparison, and railway rates declined precipitously to levels far below that of "fair remuneration." [50] The railroad companies attempted self-regulation by a series of annual conventions, but the warnings of the canal board that monopoly rates would result proved unwarranted. The rate agreements were violated almost as soon as they were signed.[51]

Despite the reductions in canal tolls, both tonnage and revenue on the state works declined steadily. (See Table I.)

[49] *Ibid.*, p. 47; Bogart, *op. cit.*, pp. 99–101.

[50] *Report of the Proceedings of the Ohio Railroad Convention, held in Columbus, December 7th and 8th, A.D. 1852* (Columbus, 1852), pp. 14–15.

[51] *Proceedings of the Rail Road Convention . . . at Cleveland, Ohio, October 14, 1857 . . .* (Cleveland, 1857), pp. 8–9.

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Table 1

REVENUES AND AGGREGATE TONNAGE OF THE OHIO STATE CANALS, 1853–1860 (selected years)

	Aggregate tonnage		
	Miami & Erie [1]	*Ohio & Erie* [2]	*Net revenues*
1853	981,545	1,282,270	+ $172,845
1855	662,472	973,272	+ 93,421
1857	633,821	817,846	– 12,945
1859	378,025	527,009	– 50,900
1860	721,293	674,323	– 107,761

[1] Includes Miami Canal, Miami Extension Canal, and Wabash & Erie Canal.
[2] Includes Ohio Canal and its branches (Muskingum Improvement and others).

Source: Board of Public Works, Annual Reports, 1853–1861.

In the face of continued inroads by the railroads on canal traffic, the state reversed its tolls policy in 1855, abandoning the effort to match railroad rates and instituting higher tolls on most commodities. This was done in the hope that the railroads would be content to carry passengers, fast freight, and high-value commodities, leaving heavy freight to the canals. That the two systems would thus "go on in harmony, each doing the business which legitimately belongs to it" was the board's optimistic belief.[52]

This proved an idle hope. In 1856 canal revenues fell below maintenance costs for the first time. When the state works produced further deficits in the three succeeding years, public sentiment in favor of sale or lease of the canals to private investors became more pronounced.[53] In a final attempt to restore revenues, the canal board in 1859 instituted toll reductions averaging thirty per cent. The result was to increase canal tonnage markedly, but at the cost of a $107,761 deficit the following year.[54]

Mounting deficits gave renewed impetus to the movement for sale or lease of the public works. A history of corruption in the last stages of construction in the 1840's, scandals involving repair contracts in the 1850's, an embezzlement by

[52] *Ohio Executive Documents, 1855–56,* Vol. I, p. 440. The strongest support for maintenance of the canals to avert railroad monopoly came from northwest Ohio, stronghold of radical Democracy. (See Kalida *Venture,* March 3, 1854.)

[53] Bogart, *op. cit.,* pp. 105–110.

[54] *Ohio Executive Documents, 1859–60,* Vol. I, pp. 627, 645–646; *ibid., 1860–61,* Vol. I, p. 439.

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the state treasurer, and increasing disillusionment concerning the ability of canals to compete with railroads, finally combined in 1861 to induce the legislature to lease the canals to private operators for ten years.[55] Thus the field of transportation in Ohio was left, for the time, entirely to private carriers. It was not until the late 1860's that the public in Ohio was prepared, because of arbitrary railroad practices, to accept renewed intervention by state government for regulation of transport rates.

V

The foregoing account of policy in one state suggests that manipulation of canal tolls for special purposes constituted a significant aspect of state regulatory activity in the pre-Civil War period. Nor was Ohio alone in employing the rate-making power to encourage long-haul shipping, to protect "domestic" industry from out-of-state competition, and to avert the possibility of railroad monopoly. New York favored her own salt manufacturers by a system of protectionist tolls and subsidies; Indiana carried flour and wheat at differing levels of toll that encouraged farmers along the Wabash & Erie Canal to patronize millers within the state; and Pennsylvania manipulated tolls in an effort to capture the western trade from New York and New Orleans. The example of tolls policy as it affected the P. & O. Canal indicates further that by virtue of the rate-making power the state might ordain success or failure in the operations of privately controlled companies that owned lines ancillary to public canals.[56] Most significant, perhaps, is the evidence that "mercantilistic" principles, including protectionism, characterized state policy when canal tolls became a convenient instrument for evasion of the constitutional prohibition against state tariffs. We need to reappraise the notion that the Founders in 1787 and the Supreme Court under John Marshall effectively curtailed all state control over the conditions of internal commerce in the United States.

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[55] See E. H. Roseboom, *The Civil War Era, 1850–1873* (in Carl Wittke, ed., *History of the State of Ohio,* Vol. IV [Columbus, 1944]), pp. 102–105.

[56] One third of the stock of the P. & O. was owned by the state, but operation was left in the hands of the private stockholders.

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Six Crises. By RICHARD M. NIXON. New York, Doubleday & Company, Inc., 1962.—xvi, 460 pp. $5.95.

Mr. Nixon's book contains three kinds of material, easily distinguishable from each other, of quite unequal interest to political scientists, and all revealing a good deal about Mr. Nixon.

First, the bulk of the volume is an autobiographical account of six phases of Mr. Nixon's remarkable political career. He chose these, he says in the introduction, from a dozen or so "crisis situations" in which he had taken part. The six crises are labeled The Hiss Case, The Fund, The Heart Attack, Caracas, Khrushchev, and The Campaign of 1960. Each of these "crises" is something more, however, than a sharply defined episode in the writer's political career. The narrative usually covers a longer period of time than the chapter headings would suggest, so that in one way or another several aspects of the author's early life and much of his political record are alluded to. The chapter dealing with the heart attack, for example, covers Mr. Eisenhower's subsequent illnesses as well, and the whole on-again-off-again business of Mr. Nixon's nomination for vice president in 1956. The Caracas chapter treats visits to Latin American nations in addition to Venezuela. The chapter on 1960 does not involve a crisis in any sense except that any close and hard fought political campaign is one for the candidates.

Second, in discussing past experiences, Mr. Nixon seizes the chance to address himself to the public issues involved. At times, he seems to be addressing himself to the voters of 1962 or 1964. He discusses, for example, effective ways to deal with Communism abroad (in the chapter on Khrushchev) and at home (in the one on Hiss). The book is not simply a memoir, but also a restrained polemic.

Third, referring to the six crisis situations, Mr. Nixon writes that he has tried to "describe my personal reactions to each one and then to distill out of my experience a few general principles on the 'crisis syndrome' " (p. xii). He is consequently given to self-conscious reflections on the qualities of character and performance that produced or endangered success. He lists some of the lessons he has learned, offering them "not as inflexible rules but only as tentative guides" (p. xiv). The first is fairly representative: "Confidence in crisis depends in great part on adequacy of preparation—where preparation is possible" (p. xv).

The book is of significance to political scientists, or at least to this one, chiefly as an autobiographical reminiscence, secondly

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as a topical expression of Mr. Nixon's political views, and least for the analysis of performance in crisis.

All three phases of the book are authentic Nixon. Here, for all to see, by his own hand, is the perplexing bundle of qualities that makes Mr. Nixon distinctive among contemporary American politicians.

Here are the familiar overtones of melodrama, earnest-eyed sincerity, and instinct for the tear ducts that account in significant part for his large numbers of admirers and detractors.

Here also are the meticulous, relentless, tactical calculation, the eye for combat essentials, and the great mental energy that make him a formidable political adversary.

Here also are evidences of his firm grasp of many fundamentals of public policy, his acknowledgment in a calm season of many subtle shades of gray that at campaign time he has often seen as black or white, and a kind of intellectual superficiality that at once misrepresents his own considerable capacities and dilutes the respect that many might otherwise feel for him.

One sympathizes with his hurt and frustration at the way Ike treated him from time to time. One understands the deep competitive urges stemming from his youth. One wonders why he continues to belabor Adlai Stevenson for certifying that Alger Hiss had a good reputation (which obviously he did, as Mr. Nixon himself points out, or the case would not have been so celebrated). One is intrigued by the unconscious irony of his advice to fellow campaigners (p. 298): A Candidate "must never try to be or to do something which is not natural for him. Whenever he does, he gets out of character and loses the quality that is essential for political success—sincerity and credibility." One even detects flecks of charm and humor here and there. The book was his seventh crisis, and he is quite disarming in discussing it.

Like its author, *Six Crises* is complex and interesting, a lot more so than most autobiographies written by defeated candidates.

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German Catholics and Hitler's Wars: A Study in Social Control. By GORDON C. ZAHN. New York, Sheed and Ward, 1962. —vi, 232 pp. $4.75.

This book may prove to be a bomb-shell. In it, a Catholic author, sociology professor at Loyola University, Chicago, on the basis of careful study of available sources and broadly conducted

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interviews, traces with utmost frankness the way in which German Catholicism aided and abetted Hitler's wars.

It is perhaps as scandalous, although not quite as surprising as the author feels it is, that here once more, as throughout history, a war engaging Christians on both sides was considered "just" by them on whatever side they happened to find themselves. Even a war which, in the author's view, was more brutally aggressive and thus, in Catholic doctrine, more clearly "unjust" than most, was declared just (because "having been forced upon us") by the entire German hierarchy. It was perhaps sufficiently known to students of recent history that opposition on the part of the Church under Nazism was limited to areas directly affecting its organizational interests or specific doctrine (for example, the Nazi euthanasia program)—although there has been a trend to overemphasize the resistance and play down the nonresistance to general policies. What this book brings out, and what indeed is shocking, is the extent to which even the best-known resistance leaders, men like Cardinal Faulhaber and Bishop von Galen, not merely went along but backed up Hitler's policies by a veritable super-patriotism in support of war. Their exhortations and explanations to the laity, in the author's words, constituted "the social control inducing Catholic conformity to the requirements of the Nazi military effort," with the episcopate serving, as he bluntly puts it, as "recruiting agent" of the regime, furnishing it, in Faulhaber's words, "spiritual ammunition" (and even real ammunition: when the church bells were confiscated to be melted into cannon, Archbishop Groeber justified this as a sacrifice needed "for the conquest of godless and anti-Christian Bolshevism"). One would have expected that, with such "guidance" from their spiritual leaders, very few German Catholics refused military service. One is shocked to learn that the few who did were denounced by the hierarchy and denied the sacraments until just before their execution. It is one of the merits of this courageous book to quote chapter and verse for these and similar revolting happenings.

Does all this amount to moral condemnation of a particular religious group in a specific country at a specific time? In a way it certainly does, but there are further considerations. What the book brings out, among other things, is the still insufficiently recognized hold which opinion control combined with pressure plays in shaping the "world picture" as well as the attitudes of those living under totalitarianism, including members and even leaders of groups with separate traditional standards. What it proves more generally is the power of nationalist tribalism in our era, as compared with competing value-systems. In the German

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case, it is true, an ingrained habit to defer to "established authority" and consider its action legitimate may well have been an additional factor, as was the urge, on the part of the Catholic minority, to prove its loyalty and patriotism to a suspicious rulership. This way the resolution of such moral issues as the nature of the war in practice was delegated to the secular power, that is, Hitler. But, as Professor Zahn points out in his conclusion, a similar tendency to submit to the judgment of secular authority could be observed in countries fighting Nazism although criticism was possible there: None was voiced when atomic bombs were dropped or civilian areas bombed "strategically." It makes one doubt what to expect even from non-totalitarian societies in connection with the problems of nuclear war. Such a war, if "all-out" and conducted against populations, would seem "unjust" even though defensive because of patent "disproportionality" between means and objectives. Will the small voices raised in protest so far be heard if and when the holocaust becomes imminent? Or will the roar of particularist nationalism prevail even among spiritual leaders? This book does not lend itself to a comforting answer.

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The Sino-Soviet Dispute. Edited by G. F. HUDSON, with RICHARD LOWENTHAL and RODERICK MACFARQUHAR. New York, Frederick A. Praeger, 1961.—ix, 227 pp. $5.00.

The Sino-Soviet Conflict 1956–1961. By DONALD S. ZAGORIA. Princeton, Princeton University Press, 1962.—xii, 484 pp. $8.50.

If one measures the importance of international developments by the extent to which they change the East-West balance of power, then no event of the last decade, indeed none since China's going Communist in 1949, is so important as the Sino-Soviet rift. It had cast its shadow before but few had eyes to see it. Yet without understanding the epochal events which they portended, no one can understand the depth, the complexity, and the probable persistency of the rift. Fortunately, the specialist as well as the intelligent reader can now for the first time, through the two books under review, see the shadows, view and judge the events, and form an intelligent opinion of present and future prospects.

Mr. MacFarquhar, the editor of the *China Quarterly* (already, in the short two years of its existence, the leading journal on contemporary China), has judiciously combined analysis with documentation; the result is a model of what such books should be.

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The introduction, by G. H. Hudson, puts Sino-Soviet relations in a useful historical and geopolitical perspective. Mr. MacFarquhar's own brief essay on Sino-Soviet economic relations and his penetrating comments and annotations on the documents of the dispute, illuminate the subject as they ease the way for the reader. The main analytical essay, by Richard Lowenthal, is a minor masterpiece of decipherment not only of what the Sino-Soviet ideological polemics mean but also why, how, and to what effect Khrushchev and Mao use them as instruments of political action. The two hundred pages of documentation are an excellent collection of the main Soviet and Chinese published material on the dispute from 1956 through the November, 1960, Moscow meetings.

Mr. Zagoria's pioneering book-length treatment of the dispute through the CPSU Twenty-second Congress is an invaluable *explication de texte.* Basing his treatment almost entirely on published Soviet and Chinese sources, and beginning with a concise and penetrating methodological essay in "esoteric communication," Mr. Zagoria analyzes the course of Sino-Soviet relations from the 1956 Twentieth Congress until the end of 1961. His original, exhaustive, and balanced treatment of the 1956–1959 developments, based on painstaking analysis of all too abundant sources, represents a major contribution to contemporary history, one for which all students of the field are deeply and permanently in the author's debt. Mr. Zagoria has showered us with such an *embarras de richesse* that one hesitates to single out any part for special praise; this reviewer found the close analysis of Kuusinen's much neglected *Foundations of Marxism-Leninism* among the best.

But contemporary history, like politics, is a hard and faithless mistress. Nowhere is this more true than in the field of international communism, and especially in the present phase of the Sino-Soviet dispute. As a result, Messrs. Lowenthal and Zagoria's treatments of the events after April, 1960, are already in need of revision. Since they wrote, a flood of new material from Italian, Belgian, and French Communist publications has appeared on the November, 1960, Moscow meetings, which confirms and expands Edward Crankshaw's revelations; the Soviet-Albanian break has enabled us to reconstruct in detail Soviet-Albanian (and, by inference, Sino-Soviet) relations in the 1960–1961 period; Mr. David Charles' account of the dismissal of Marshal P'eng Teh-huai (in the *China Quarterly,* Oct.-Dec. 1961) supplies another missing link, Khrushchev's mixing into Chinese Communist factional struggles; and, finally, the recent Soviet-Yugoslav rapprochement and the Italian documents enable us

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better to understand the hitherto too neglected Yugoslav aspect of the Sino-Soviet rift. Of course, by now the rift has become much more polycentric; indeed, in retrospect, both books suffer from being too completely concentrated on Moscow and Peking.

In my own view, the material now available makes it possible to see (as Mr. Lowenthal has brilliantly described in the January-February 1962 issue of *Problems of Communism*) that the organizational issue ("fractionalism"), that is, the Chinese worldwide attempt to infiltrate, intrigue in, and subvert Soviet control of Communist parties, has become the most incendiary issue of all between Khrushchev and Mao. In this context, Khrushchev's Twenty-second Congress attack on Albania was, as Mr. Zagoria could have pointed out more clearly, primarily an (unsuccessful) attempt to force not Mao, but other Communist parties, to declare themselves for or against Moscow.

But these critical words are primarily ones of hindsight, as they are agenda for continuing scholarly inquiry. The student of contemporary history must from now on begin his inquiry on the Sino-Soviet rift with these two books, both of which have already achieved the status of "essential" in the relatively new but rapidly developing field of international Communist affairs.

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Unity and Contradiction: Major Aspects of Sino-Soviet Relations. Edited by KURT LONDON. New York, Frederick A. Praeger, 1962.—xii, 464 pp. $7.50.

The present volume is one among a growing number of studies of the critical Soviet-Chinese relationship. To the extent that these studies attempt a conclusive analysis of the relationship they tend to become outdated even before they are in print. More recent scholarship supersedes them. The course of events causes the relationship to be seen in a new light. No student of contemporary Sino-Soviet relations should therefore imagine that his insights are more than tentative. It will be some years before a definitive study of the Sino-Soviet relationship in our era—which we might call the era of late Mao or late Khrushchev—can be composed.

Unity and Contradiction, despite the fact that it draws in the main on evidence available only through mid-1960, stands a better chance than many of its current rivals of avoiding oblivion because of the variety of views it presents. The book consists of nineteen of the thirty-six papers read at the Third International Conference on Sino-Soviet Bloc Affairs held in Japan in Septem-

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ber, 1960, plus a foreword by Philip E. Mosely and an Introduction and Epilogue by the editor, Kurt London. Dr. London, who played a major role in the planning of the Conference, made the selection and arranged its presentation. Nine of the papers are by Americans, four by Asians, and the remainder by Europeans. It would be arbitrary to single out the most original or compelling of these contributors and space does not permit an adequate analysis of their varied approaches. However, a brief indication of the contents of the volume will suggest the impressive scope of the discussions at the Lake Kawaguchi Conference.

Part I, on sociology, includes a paper on political "modernization" in Russia and China (Cyril E. Black) and an arresting study of the implications of "embourgeoisement" in Russia and "proletarianism" in China (T. H. Rigby). Parts II and III, dealing with ideological and organizational questions, include papers on similar and dissimilar "goal values" in Soviet and Chinese policies, as seen by a political scientist turned social psychologist (Robert C. North); on contrasting experience in political and social organization in Russia and China, especially at the local level (M. F. Schurman); on Maoism and Leninism (Masamichi Inoki); on the Commune experience as it affects Sino-Soviet relations (Boris Neissner); and on the forces that unite rather than separate the two countries (Masao Onoe). Parts IV, V and VI view the Sino-Soviet relationship in the context of policies relating to given areas, or regarding area problems: Afro-Asian nationalism (Hugh Seton-Watson); Jugoslavia (Robert F. Byrnes); Japan (Paul F. Langer); North Vietnam (Jacques Guillermaz and Basile H. Kerblay); India (Vidya Prakash Dutt); and the Sino-Soviet "border regions" of Inner Asia (Peter S. H. Tang). Parts VII and VIII, dealing with economic questions, include a well-documented review of recent Sino-Soviet economic relations (Oleg Hoeffding); an analysis of Sino-Soviet aid policies in Asia (Latif Ahmed Sherwani); and a comparison of Soviet and Chinese Communist agricultural experience (Otto Schiller). Part IX, entitled "Conflict Resolution," includes three distinctive studies by three hardy perennials who seek to project the future course of the Sino-Soviet conflict from present data (Leonard Schapiro, Allen S. Whiting and Zbigniew K. Brzezinski). Dr. London's Epilogue places the dispute in the context of the "world socialist system," drawing on material through September, 1961.

It is inevitable, in so broad a symposium, that much similar terrain will be traversed. Repetitiousness will be the chief complaint of readers of this volume, scholar and layman alike. Whether more ruthless editing could effectively eliminate the repetition is uncertain, since authors must have some latitude in

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reassembling data to support their arguments, but the effort should surely be made in another such volume. The sequel to *Unity and Contradiction* might also give more attention to the views of non-Western writers. There should be no monopoly of judgment on this question by Western, and especially American, scholars, gifted though they may be. If the issue of Soviet-Chinese rivalry is of the transcendent significance that the contributors to the present volume proclaim it to be, it becomes increasingly instructive to know in greater detail the attitude in this matter of Asians, Africans and South Americans. The editors and publishers of *Unity and Contradiction II*—this reviewer takes it for granted that succeeding Conferences on Sino-Soviet Bloc Affairs will similarly publicize their findings—could do worse than give special emphasis to these attitudes.

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NATO: The Entangling Alliance. By ROBERT ENDICOTT OSGOOD. Chicago, The University of Chicago Press, 1962.—x, 416 pp. $7.50.

The states in the "Entangling Alliance" of Robert Osgood's book on NATO may strike some readers as less tightly bound together than either reader or author would wish. For Professor Osgood's central concern is the dwindling cohesion of NATO in the face of far-reaching changes in the military capabilities of its members and foes. The underlying purpose of the alliance continues to demand close military collaboration from its members; yet the strategy of NATO and especially of its leading member, the United States, has not kept pace with revolutions in military technology. In the author's judgment, political considerations have led the NATO allies to pay too high a price for such cohesion as they have maintained.

Professor Osgood views NATO as basically a security organization, whose other functions depend upon its effectiveness in its overriding military role. "NATO is and will remain, so far as one can foresee, a coalition of sovereign nations for the protection of a limited, though vital, core of identical security interests within a mass of convergent and divergent political interests" (p. 360). He continually reminds his readers that military and political factors are intertwined, but he focuses on more purely military questions. In fact, he deals primarily with problems of nuclear weapons, strategic and tactical, and of conventional warfare capability; even this last category is largely undifferentiated. Other methods of protecting NATO members

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from the Soviet threat he mentions only in passing, and he assumes that the main contest is in Europe and North America.

Within the context of rational strategic policy Professor Osgood provides a thoroughgoing history of the original conceptions and of the changes in NATO response to environmental shifts. Closely entwined with this narrative are critical appraisals of the military policies of the leading members and the resultant NATO strategy. The critique is based on the strategic implications of the Soviet Union's acquiring a nuclear capacity. The author is especially diligent and acute in demonstrating the American (and British) over-dependence upon nuclear capability at the expense of conventional methods of warfare, and in exposing the resulting dangers and ambiguities and unanticipated, as well as undesired, consequences.

Professor Osgood exhaustively examines the problems presented by the development of missiles, nuclear diffusion and the growing European doubts that the United States would respond with nuclear weapons to large-scale or nuclear Soviet attacks on NATO members in Europe. Here he considers and weighs a very wide range of alternative policies, drawing heavily from previous analyses by Brodie, Wohlstetter, Kissinger, Schelling, and other authorities in this field. He also deals, under the rubric "disengagement," with the possibilities of avoiding the almost unmanageable difficulties NATO faces in military collaboration. However, he is dubious about the chance for such a direct resolution of the problems of mutual security.

A genuinely stimulating chapter on the control of nuclear weapons concludes with the arguments for and against a NATO nuclear force complementing that of the United States. Like Alastair Buchan (with whom he differs in details, however) Professor Osgood regards this alternative, under specific conditions, as perhaps the most promising way safely to recognize the demands of the other NATO powers for some participation in the decision to use the nuclear deterrent on which much of NATO's strategy is based. He favors it particularly as a means for getting the European states to wake up to their responsibilities for improving the conventional capabilities of NATO; joint participation in nuclear strategy could entice them effectively to combine the two methods. He also believes a NATO nuclear deterrent might help to by-pass demands by major allies for an independent national deterrent. For him joint control is not a surrender to but a defense against unlimited diffusion.

Like other works of this genre, the methods employed for analysis and the subsequent prescription depend heavily upon logic and upon the assumption that states will react similarly to

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the same external stimuli; they do not rest upon detailed observation of past behavior. Except for the strategy which placed too great reliance on nuclear weapons, where, as he shows, unfortunate effects can already be discerned, there is little experience on which the writer could have based his judgments. However, a wealth of evidence does exist in the area of "politics," especially the domestic aspects. Professor Osgood notes this factor only to cut it away as an impediment to his analysis. Other scholars might bring their knowledge of the decision-making process in particular countries to bear on the strategic problems about which he is concerned. In doing so they could take some cues from chance observations which he drops along the way. One example must suffice: that military strategy "is a major medium through which the allies exert their political influence, not only with respect to the adversary but also with respect to each other" (page 349).

ANNETTE BAKER FOX

COLUMBIA UNIVERSITY

Deterrence and Defense: Toward a Theory of National Security. By GLENN H. SNYDER. Princeton, Princeton University Press, 1961.—ix, 294 pp. $6.50.

In the past few years, the literature on military strategy has grown rapidly. Much of this writing has been done by analysts who were not trained either in general in political science or in particular in the study of international politics. Thus, at least some of this literature has a peculiarly apolitical flavor and the authors have not had an interest in integrating military strategy with more traditional concepts of international politics.

Deterrence and Defense has all of the virtues that one could hope for in a book written by a political scientist aware of and interested in the political aspects of international relations. Professor Snyder is able to cope with the new jargon and intricate analysis of the military strategists and with economic analysis and game theory, and is equally at home in considering traditional balance of power notions. Early in the book he presents an important first step toward merging military strategy into international politics theory.

The central theme of this work is the fundamental conflict between the desire to deter a war and the need to defend in the event that war occurs. With the increased destructive power of nuclear weapons, much attention has been focused on the need to prevent at least an all-out thermonuclear war. But, Snyder warns, we must not overlook the need to prepare a defense in the event that war occurs. It is necessary to keep both values in

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mind and to try to develop a strategy which maximizes the expected utility to the United States of its action.

Snyder is basically concerned with the development of a model for doing this kind of calculation and for proposing strategies which optimize the expected outcome of American defense policy. He is aware of the fact that his model is no substitute for careful analysis of the implications of particular proposals and for the need to balance differing values. However, his model is extremely useful in providing a framework for balancing the intangibles which must go into the make-up of any defense policy.

The bulk of the middle section of *Deterrence and Defense* deals with problems of NATO military strategy and attempts to provide and apply Professor Snyder's particular analytical scheme to a particular defense problem. In this section the utility of extremely careful analysis and explorations of alternative policy possibilities is made clear. The existence of the number of alternatives between surrender and total nuclear holocaust is carefully documented and their possibilities explored. However, in this section and in other places in the book where Professor Snyder seeks to make particular policy recommendations, the analysis is at its weakest. Unlike most of those who have written books on military strategy, Professor Snyder has not had access to classified material. While none of those who have written with the benefit of a security clearance have been able to use classified data, they have been able to draw on their general appreciation of the existing military situation in developing their policy proposals. In view of the excellent use of quantitative analytical methods in the theoretical part of the book, the lack of numbers in the policy discussion of Western Europe is somewhat surprising, but it probably reflects the great difficulty in doing effective detailed quantitative policy analysis without access to the classified numbers.

Deterrence and Defense demonstrates brilliantly that an analyst without access to classified data can make a major contribution to an understanding and a resolving of the difficult military strategy problems facing the United States. For the political scientist seeking an introduction—though by no means a simplified one—to the problems of military strategy and some indication of its relations to the more familiar notions of international politics, no more valuable and perceptive work is available. It might be hoped that Professor Snyder's work will stimulate other political scientists to join in the effort to increase our understanding of the role of military force in the current era.

MORTON H. HALPERIN

HARVARD UNIVERSITY

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What Price Coexistence? A Policy for the Western Alliance. By SIR JOHN SLESSOR. New York, Frederick A. Praeger, 1961. —153 pp. $4.50.

Sir John Slessor's new book is a very readable and interesting volume. It is not limited to any particular phase or element of the contemporary problem facing the West: it tackles the problem as a whole and its comprehensiveness is one of its assets. However, it is legitimate to ask the question: What is there in Sir John's policy proposal that is new—and what is there that is not so new?

In a number of ways, the book follows closely the policy of containment, including its later ramifications, as advanced by George Kennan. Sir John's views are strongly influenced by the past experience of the British Empire, and the policy of containment itself is not exactly devoid of some of the characteristics of nineteenth-century international relations in which Great Britain played a predominant role. Sir John has no illusions about the ultimate ambitions of communism to achieve a world conquest, but he strongly believes that the Soviets are not interested in a major war and that the advance of communism can be stopped by the strength of the West. While coexistence at present is a mere fact of life, with the two camps engaged in a mutual struggle, Sir John envisions a somewhat brighter future ("a tolerable form of peaceful coexistence") if the West adopts a number of measures.

One of them is a recognition of the Soviet sphere of interest and noninterference with it. Still another is a vigorous defense of our own preserve; in this we must be "liberal where and when it makes sense" and " 'reactionary' as Lord Palmerston or Theodore Roosevelt where and when our very existence is at stake." Unlike the policy of containment, the author calls for treating the problem of the underdeveloped countries as one in its own right, which is a refreshing statement. Also, there is a proposal for disengagement but it differs somewhat from the one suggested by Mr. Kennan in specific details of implementation and in geographic scope: in addition to Europe, there would be a form of disengagement in the Far East and in Southeast Asia.

In this way, the areas of conflict with the Sino-Soviet bloc would be diminished and our relations improved. Then we could hope for two things to provide a more lasting solution of the existing world problems: an evolution of communism and arms control. The evolution would be brought about not by modifying the Communist pattern of expectations in the face of vastly superior strength of the West (the book says nothing about

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this, and for valid reasons), but by education and the increased endeavors of the West "to change the minds of the Communist rulers" by such means as propaganda, East-West trade, and cultural relations. Arms control is something to be brought about by a realistic and conscientious effort on the part of the Western Powers.

A number of Sir John's suggestions have a great deal of insight and merit serious consideration. However, one could raise a few questions in connection with some policy proposals. One of them concerns the validity of the assumption that a greater degree of education—and, in particular, scientific education which Sir John emphasizes—in the Soviet Union necessarily diminishes the danger for the West. Further, if communism is as dynamic in its ambitions as Sir John believes (and there is no reason to question this belief), a question arises about the validity of the concept of the spheres of interest, except as a tactical device which may also satisfy short-run needs of the Soviet bloc. Moral considerations aside, the permanency of a solution based on spheres of interest (and this, in part, includes disengagement) is predicated upon the change of outlook of the Communist elite—which is an open question. Sir John's policy proposal has decreased somewhat the defensively-passive bias of containment proper. However, the question arises whether this decrease is adequate. If some of the other assumptions of the book do not materialize, the West in the long run may need more leeway in determining its best interest as between the passivity of an essentially defensive posture and a more active way of promoting its objectives. Finally, if our survival depends on the unity of the West—and it does, as Sir John correctly maintains—this unity is to be achieved on the basis of a value pattern which is forward-looking and helpful in promoting the success and vitality of the West in the underdeveloped world. Sir John Slessor's suggestion that the United States embrace the remnants of European colonialism does not quite meet this standard.

Victor Basiuk
Columbia University

The Conduct of War: 1789–1961. By Major General J. F. C. Fuller. New Brunswick, Rutgers University Press, 1961.—333 pp. $6.00.

In his preface, General Fuller explains that he intends to examine warfare since 1789 primarily from the point of view of the political, social, and economic pressures upon it. This is a bold concept and one that takes the author over considerable terrain

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—military strategy and tactics, the impact of nationalism on warfare, the consequences of the industrial revolution, the ideas of leading military thinkers, a running account of technological innovation, and political developments and economic history. Unfortunately, General Fuller does not succeed in attaining his objective. A number of chapters are very interesting—"The Limited Wars of the Absolute Kings," "Napoleonic Warfare," "The Theories of Clausewitz"—but the book as a whole is uneven.

General Fuller is at his best when dealing with military affairs in a fairly restricted sense and with those events sufficiently distant in history to be treated dispassionately. He is not on firm ground when he ventures into economic analysis or political commentary. When he speaks of economic matters one becomes aware of an array of inarticulate and unexamined premises lurking in the shadows. After stating that the causes of the First World War were largely industrial and commercial he goes on to lament that the victors in the War neglected economic factors in making peace. Instead of "seeking a peace in which economic causes might be eliminated, they ignored them and got back to Big Business on 1913 lines, and, as a corollary, they returned in greater part to the military organizations that led to the initial stalemate" (p. 312). What is one to make of this thinking, or of the argument that Mussolini, Franklin Roosevelt and Hitler were all driven to war because "none of these would-be economic messiahs could discover how to equilibrate consumption with production . . . ?" (p. 312).

Though General Fuller is a military thinker of distinction, his chapter on World War II—by far the longest in the book—is a political tract more than a serious analysis. Subsections are entitled "President Roosevelt's anti-Japanese and pro-Russian Policies," "Architects of Disaster," "Surrender to Russia," and "Defeat Through Victory." President Roosevelt is presented as being "surrounded by intriguers and soft-on-communism eggheads" (p. 269) (the words, quoted approvingly, are those of General Wedemeyer) and Fuller notes that "the greater share of the betrayal of Europe must be debited to the President and his advisers" (p. 289). General Marshall becomes a "dupe," and so it goes. There is no effort to place decisions in the context of the time, to examine the alternatives then available, to note the wise decisions as well as the unwise. Instead, generous use is made of hindsight, the commodity that makes geniuses of us all.

No book on military affairs written by so knowledgeable a military thinker as General Fuller can fail to contain stimulating and perceptive commentary. However, if the military analyst

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had less often been put to rout by the political commentator in this volume the result would have been happier.

ANDREW M. SCOTT

UNIVERSITY OF NORTH CAROLINA

Four Studies of War and Peace in this Century. By W.K. HANCOCK. Cambridge, Cambridge University Press, 1961.—vii, 129 pp. $3.75.

These lectures by a great Australian historian deal with four topics of crucial importance to the modern world. "War in this Century" examines the problem of contingency and continuity in human affairs to see whether "the historian can be a forward-looking person, using his understanding of the past to identify problems which are likely to arise in the future" (p. 2). History, political science, and political economy, Sir Keith assumes, are closely related practical subjects. All, albeit with rather different "reconnaissance" techniques, attempt to apply "funded experience" to current problems.

The editor of the *Civil Series* of the official British *History of the Second World War* is too wise to try to isolate a single decisive factor in war, but feels that there is a "common factor in the economic sphere. Little wars and big wars, wars which we grade by their weapons, . . . which we prepare for but do not fight, . . . which we fight but do not prepare for: . . . all have to be paid for" (p. 18). Though "Hiroshima . . . shattered the continuity of history" (p. 2) in military strategy, this economic factor can be applied to the "new long haul . . . to keep level with the designated enemy, *both* in economic growth *and* in readiness for . . . a war which neither side can hope to win . . . [or] wishes to fight" (p. 29).

In World War II, "The British war effort . . . of more than 50 per cent of the national income . . . exceeded the limits of economic prudence and could not have been sustained indefinitely, even with American support." The American ceiling over the long haul might be a quarter of the national income. "But this is where politics come in; . . . we might expect the Americans to throw in their hand before the Russians." If not, may they not "find themselves compelled to imitate Russian methods . . . of governmental control of investment and consumption . . . to induce a high rate both of industrial growth and of defence expenditure?" (pp. 28–30, the last sentence contains two clauses which are reversed). A fellow historian can only suggest that Sir Keith's question reflects the ghosts of Hayek and Orwell by posing a similar rhetorical question. Have the

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multiple military and economic challenges which Britain has faced since the 1889 Naval Defense Act resulted in a real loss of personal freedom?

These comments—on one aspect of a single lecture—should not suggest that Sir Keith's arguments are primarily economic. His later lectures—on Jan Smuts and the business of peace-making, Gandhi and non-violence, and the evolution of international society—are equally fascinating. Each reader can only discover for himself that this is a very wise book on four subjects of the utmost importance to our common survival. It might also be noted that three of the six earlier volumes in this distinguished series have been written by historians—John U. Nef, Sir George Clark, and Denys Hay—who are equally well aware of the role of warfare in society. This may well be due to the influence of another of the world's most distinguished military historians, Michael Roberts, at the Queen's University, Belfast.

THEODORE ROPP

DUKE UNIVERSITY

The Administration of British Foreign Relations. By DONALD G. BISHOP. Syracuse, Syracuse University Press, 1961.—xvi, 410 pp. $7.00.

This is an undistinguished and somewhat disappointing book about an important subject. The author has accumulated a large number of quotations, mainly from secondary sources, and added a certain amount of his own prose by way of introduction or comment. It is not a crime to build a book on quotations, indeed there is much to be said for allowing statesmen and others to speak for themselves. But the quality of the book must depend on how these quotations are used and assessed, and upon the author's own contribution. Professor Bishop seems to me to fall short under both headings.

On many occasions quotations are used to document the obvious or what is already available in general textbooks. Thus the trite statement "It is customary for the Prime Minister to work very closely with the Foreign Secretary" (p. 68) is supported by various quotations. Instead of it being sufficient merely to state that until 1916 formal minutes of Cabinet meetings were not kept, a number of rather hackneyed quotations are strung together. Sometimes the sources quoted are not dated, and unless the reader is well informed he may not be able to assess their topical significance. Lord Salisbury is quoted to the effect that "the real Government is in the hands of an illiterate mob" (p. 185), but what relevance has the view of the 3rd Marquess to present British foreign policy? And what really is the value of

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quoting Palmerston as saying "no climate agrees with an English diplomatist excepting that of Paris, Florence or Naples" (p. 280)?

Professor Bishop's own writing is patchy. Some of his phrasing is ambiguous or imprecise, causing one to infer that he is not always certain of his ground. When he writes that "Often his [general] duty keeps the Prime Minister so busy that he does not head an administrative department" (p. 68), does he wish to give the impression that it is usual or unusual for the Prime Minister to head such a department? Again, what does he really mean when he writes "It is improper for any Cabinet member, as an individual, to announce decisions by the Cabinet" (p. 103), for the statement as ordinarily interpreted is not true. And is the phrase "Traditionally the Foreign Office—the Ministry of State for Foreign Affairs . . . " (p. 204) intentional or a slip? Professor Bishop is particularly uncertain when he deals with the procedure of the House of Commons. He misses, for example, the growing significance of Ministerial statements made at the end of Question time, a device extensively used during the Suez affair. Nor does he appear to be aware that three or four weeks may now pass before the Foreign Secretary can be reached at Question time, whereas earlier in the century he could be reached day after day.

Much of this would be niggling criticism if Professor Bishop had given the reader a real insight into the manner in which British foreign policy is formulated, controlled and administered. As it is the subject never comes alive. We are taken through the role of the monarch, the relations of Foreign Secretary and Prime Minister, the Cabinet, the House of Commons, recruitment, organization—in all, fifteen chapters full of quotations and information. There is, however, little or no interpretative insight, and we are seldom told anything new.

D. N. CHESTER

NUFFIELD COLLEGE, OXFORD

The Structure of American Federalism. By M. J. C. VILE. London and New York, Oxford University Press, 1961.—viii, 206 pp. $4.00.

Essays in Federalism. By GEORGE C. S. BENSON, MARTIN DIAMOND, H. F. MCCLELLAND, WILLIAM S. STOKES, and PROCTER THOMSON. Claremont, California, The Institute for Studies in Federalism, 1961.—xiii, 220 pp. $4.50.

Despite the formal divisions of power in the American constitutional structure, Professor Vile, of the University of Exeter, finds that in actual practice the chief characteristic of our system

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is its high degree of intergovernmentalism and political interdependence, a characteristic which has always been present but which has increased with the growing functions of government, as evidenced in recent decades by the decline of dual federalism, the development of concurrent federalism, and the transformation of administrative dualism into administrative cooperation. Professor Vile sees the widening of concurrent federalism as the most important trend in American federalism today.

Our system is portrayed as a complex of groups, factions, and parties, of local, regional, and national interests, and of issues all inextricably interwoven, all molded in a single tradition, all yielding to a pragmatic and nonextremist approach, in which unity is combined with a maximum possible degree of decentralized power. The result is an effective reconciling of liberalism and conservatism, flexibility and stability, innovation and convention, pluralism and consensus, liberty and democracy, popular rule and respect for judicial review and "concurrent majorities." The over-all impression is similar to the one left by Pendleton Herring's *The Politics of Democracy*—that a highly complicated structure of government, operating in a continental country of great geographical diversity and wide group pluralism, in which pluralism often cuts across regionalism, regionalism across pluralism, and blurred political parties across both, and in which decentralizers and centralizers often switch sides, does indeed work surprisingly well; and that the main reason for this, amorphous as it is, lies in the "federal mentality," the "American way," the usually unexpressed "rules of the game," which have been developing among Americans for generations.

Professor Vile admits (on pages 191 and 200) that he may have exposed himself to the charge of having been taken in by "a sort of equilibrium analysis," of having made "a Panglossian approach." It seems to me that in effect he has minimized the obstructive elements in the American system; but this is a tendency he shares with most writers of the past decade.

The papers in the Claremont Studies touch on a variety of aspects. Professor Martin Diamond's essay, "The Federalist's View of Federalism," is a thought-provoking exegesis of *The Federalist*. It maintains that when the generation of 1787 used the term federal it meant confederative, that the distinction between federal and confederative types of government did not then exist, that both Hamilton and Madison conceived the new government to be a combination of the confederative and national types. He further maintains that Madison was a nationalist, that when he argued the merits of decentralized government his arguments would apply as pertinently to a unitary type of

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government as to the type we know today as federal; more, that Madison's famous argument, that liberty is better guaranteed over a wide territory with a variety of countervailing groups and interests than in a small territory with less pluralism, is merely an argument for enlargement, that it would apply to a representative unitary type of government as well as to a representative federal type. In the light of all this, the fact that the proponents of the new government could successfully steal the term federalist, that is confederationist, and use it effectively against their opponents, the real federalists—that is, the confederationists—is sheer political genius.

Professor William S. Stokes' essay on the Centralized Federal Republics of Latin America contains much useful information, but the author concludes that the Latin American federalists of the nineteenth century were romantics, that conditions and the whole cultural tradition were against any genuine federalism, and that Latin American experience has little to teach us in the United States. However, I think the material of this essay raises a vitally relevant question: Why is it that the popular parties of Latin America in the early and middle nineteenth century, as in the case of the Liberals in Mexico and their Constitution of 1824, favored decentralization while the popular parties of the twentieth century, as in the case of the Mexican Revolutionists and their Constitution of 1917, favored centralization? Were the forces at work in Latin America which transformed the early decentralizers into later centralizers similar to those forces in the United States which transformed the decentralizers of the popular party of Jefferson's day into the centralizers of the popular party of Franklin D. Roosevelt's day?

The essay of Professor Procter Thomson, which analyzes the relationship of size of territory to administrative efficiency, effective legislative activity, and the availability of political leadership, suffers from the one-factor approach. The essay of President George C. S. Benson and that of Professor H. F. McClelland, which is largely a plea for block grants-in-aid rather than specific grants, both assume the advantages conventionally thought to be implicit in decentralization and local autonomy, but neither comes to grips with the nature and scope of actual power in the American states and localities. The question is: whose advantage, whose autonomy, which people, which groups, which elites? Today, the evidence strongly indicates that there is a more inclusive and democratic balancing of group interests on the national level than on the state level. It seems to me that it is Professor Vile who comes much closer to a tenable position when he concedes the undemocratic nature of many American

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states today and then adds that "we should not assume too easily that the Federal Government will always be dominated by a more progressive view of political problems, nor that the States are *inherently* centres of reaction" (p. 30).

WILLIAM G. CARLETON

THE UNIVERSITY OF FLORIDA

The Papers of Alexander Hamilton. Edited by HAROLD C. SYRETT; Associate Editor, Jacob E. Cooke. New York and London, Columbia University Press, 1961. Volume I: 1768–1778. —xvii, 627 pp. $12.50; Volume II: 1779–1781.—vi, 710 pp. $12.50.

Scholars, and especially those in the hinterlands far from manuscript collections, must be eternally grateful to the promoters of the project to publish the Hamilton papers, John A. Krout and Charles G. Proffitt, and to the editors, Harold C. Syrett and Jacob E. Cooke, who are so admirably carrying it out. These first two volumes, consisting of Hamilton's writings, letters to Hamilton, précis of letters relevant to his career, and calendared documents known to have existed but not found, give us the Hamilton story from the time he is first mentioned in a probate record in 1768 to his return from the Yorktown campaign in 1781.

Whatever the later volumes reveal, the young Hamilton who emerges from these first papers will probably not appear sufficiently conservative for either those on the right who have used him as a shining beacon or those on the left for whom he has served as a whipping boy. He seemed to look with approval on the "democratical part of the government" which rested on the principle "that no laws have any validity, or binding force, without the consent of the *people,* given in the persons of *their* representatives, periodically elected by themselves" (Vol. I, pp. 45–48, 105). By the people, Hamilton meant those men who were free agents and not subservient to others. He resented the "high tone" of French officers which, he said, "wound my feelings as a republican more than I can express" (Vol. I, p. 426). His well-known statement that the sacred rights of mankind were not to be rummaged for among old parchments but were written as with a sunbeam in the whole volume of human nature and could never be erased by mortal power might have come from the pen of a Thomas Jefferson or a Tom Paine (Vol. I, p. 122). More in character was Hamilton's statements about "the multitude, who have not a sufficient stock of reason and knowledge to guide them" and about "the unthinking populace" (Vol. I, p. 174).

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Since Hamilton was poor at the time yet did not include himself among the unthinking populace, he obviously did not necessarily associate wealth with brains. Southern conservatives, however, will hardly be happy with his belief that any inferiority on the part of Negroes as compared with whites was their "want of cultivation (for their natural faculties are probably as good as ours)" (Vol. II, p. 18).

Liberals and conservatives will both be startled at Hamilton's philosophy of government as found in his differences with Gouverneur Morris over the latter's conservative statement that one of the faults of the New York constitution was instability due to the very nature of popular elective governments. Hamilton was in character when he said that the choice of an executive required the wisdom of a select assembly and could not be lodged with the people at large. But when he insisted that instability was not necessarily inherent in the nature of popular governments, he was hardly the Hamilton we have come to know. "Unstable democracy" was an epithet frequently mouthed by politicians, he declared, but he believed that fluctuations in governments where the popular principle was important were due to a combination of popular with other principles. Compound governments often led to discord and disaster, and when deliberative or judicial powers were vested wholly or partly in the collective body of the people, error, confusion, and instability must be expected. But a "representative democracy," where the right of election was well-secured and regulated and the legislative, executive, and judicial powers were vested in select persons, chosen *really* and not nominally by the people, was most likely to be happy, regular, and durable. The greatest danger in New York, Hamilton believed, was that the senate might degenerate into an aristocratic body. In fact, he had no fear of a one-house legislature in a government such as that of New York where the equality and fullness of popular representation was so wisely provided (Vol. I, p. 225).

There are numerous other items of interest, some of which are still in the realm of controversy among historians. Hamilton obviously believed that the American Revolution was fought to preserve the existing social order rather than to democratize American society, for he spoke of British tyranny "which is intended to ravish our liberty from us," and he talked of means "to preserve our invaded rights" (Vol. I, pp. 56, 59). To him, the Quebec Act was one of the most intolerable of the Intolerable Acts for it established absolute power in Quebec and demonstrated that the ministers had "formed a systematic project of absolute power" (Vol. I, pp. 165–74). Unlike later historians, he

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did not believe that the Loyalists comprised a large segment of the population even in New York (Vol. I, 178–79; Vol. II, p. 662). And as early as 1778, Hamilton showed himself to be a nationalist in his use of the terms "national character" and "national government" (Vol. I, pp. 426–27, 440, 441; Vol. II, pp. 402–17, 421, 427, 447, 472.)

ROBERT E. BROWN

MICHIGAN STATE UNIVERSITY

United States Fiscal Policy 1945–1959: Its Contribution to Economic Stability. By A. E. HOLMANS. London, Oxford University Press, 1961.—xiv, 342 pp. $6.50; 40 sh.

The most perceptive observers of the American political scene have frequently been those from abroad. They bring with them a freshness of vision and a detachment from the stale controversies that form the normal stock-in-trade of American political discussion. On the other hand, they also bring a set of intellectual preconceptions regarding the way in which a society should set its policies, which may interfere with a full understanding of certain realities of American politics. Both comments are equally appropriate with regard to Dr. Holmans' spendid historical survey of fiscal policy in the United States since World War II. It would be hard to lavish excessive praise on this well-written, carefully researched, meticulously documented study. It will be useful to students of aggregative economics and of public policy, first, because of its own intrinsic merits as an analytical work, and, second, because of its value as a unique and comprehensive record of the period. Anyone with an interest in stabilization policy should be familiar with this study.

Reviews, however, are intended not only to bestow compliments. Having paid tribute to the over-all excellence of the book, a few relatively mild criticisms also appear in order. These spring in the main from the author's tendency to take the rodomontade of American political discussions more seriously than it deserves. This is a failing of many foreign, notably British, observers. Dr. Holmans believes in the importance of fiscal policy. Since American politicians rarely talk sense about fiscal policy, he is too ready to entertain long-range doubts regarding the readiness of the American society to accept stabilization policies.

Legislation in the United States is the end product of Congressional compromise—as subject to the pressures applied by the

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President. Positions will be taken on appropriation bills or revenue bills not because they are logically or fiscally sound, but in order to establish a bargaining position or for purposes of public consumption. Even phony bills may be introduced to get something on the record. Was President Truman's 1948 tax proposal of reduction of income tax of $40 for every taxpayer and each of his dependents to be offset by increases in corporate taxation seriously intended, or was it designed purely to underscore the contrast between the "party of the rich" (which controlled the 80th Congress) and the "party of the people"? Would it have been put forward, had there been the slightest chance of Congressional acceptance?

In American politics the rhetoric of free enterprise and sound finance is of great importance. No political leader, not even President Truman or President Kennedy, can neglect it, but its impact on policy should not be exaggerated. Believers in the balanced budget have a powerful impact at the polls. Their views will influence political statements, if not actual policy. (Dr. Holmans accepts too uncritically the Hofstadter-Lubell-Riesman thesis that the political strength of this group comes from an alliance with those who opposed Roosevelt's foreign policies). Senator Taft, for example, had accepted compensatory fiscal policy as early as 1943. He helped protect the Full Employment bill from attacks from the right in 1946; he probably saved the Council of Economic Advisers from extinction in 1953. Should his ritualistic utterances to his political supporters be taken as a serious expression of his underlying views? In American politics ultimate goals will be masked by political rhetoric. It may be annoying, it may be exasperating, but it is not consequential enough seriously to interfere with aggressive federal action to prevent depression.

Dr. Holmans, in his introduction, his conclusion, and at various other points in his book, expresses concern that in the event of a serious test American stabilization policy will prove inadequate. This seems a remote possibility. The rhetoric of free enterprise may be something of an impediment in mild recessions; in a serious depression it would be junked. In the reviewer's experience with Virginia bankers—whose faith in the balanced budget sometimes approaches idolatry—it takes about one hour's work with simple algebra to convince them of the logic of compensatory fiscal policy. Even in the event of, say, a Goldwater administration, the fiscal realities would prove too strong.

Dr. Holmans does not see these American political realities in sharp focus. He does see that Congressional "economy" drives

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have been mostly talk. He does see that talk of the resilience of the free enterprise system may be strong in a reviving economy, but dies down in periods of recession. Yet, he fails to see the implication that the rhetoric of sound finance should not be taken seriously as a guide to long-run stabilization policy.

The lack of sympathy for the perplexities of the American politician is perhaps the most serious defect of this book. But some of its special excellencies deserve emphasis. Dr. Holmans sees so clearly, what it is hard for an American to comprehend, the great extent to which even current discussion of fiscal policy is dominated by the now-irrelevant passions generated by the New Deal. He understands the administrative defects of the federal system which erect sizable barriers to the flexible employment of fiscal policy. It is this fact, he explains, which accounts for the very great stress placed on automatic stabilizers in the United States, as opposed to the willingness to rely on discretionary fiscal policy under the British system. In this reviewer's judgment, Dr. Holmans tends to exaggerate the fiscal perversity of state and local expenditures on the basis of evidence drawn from the thirties. In recent years these outlays have proved more useful in stabilization policy, partly because they are influenced by counter-cyclical monetary politics. But all in all he has produced a challenging statement of his views, as well as a technically impressive historical review. It is heartily recommended.

JAMES R. SCHLESINGER

UNIVERSITY OF VIRGINIA

Origins of the TVA: The Muscle Shoals Controversy, 1920–1932. By PRESTON J. HUBBARD. Nashville, Vanderbilt University Press, 1961.—ix, 340 pp. $6.00.

Today, TVA has become a symbol of hope in a despairing world. The gigantic public enterprise on the Tennessee River offers the haunting possibility of human survival in a world where dominant technology appears to lead competing ideologies to the brink of self annihilation in a struggle to reach the moon. To the present generation, TVA appears to have been a necessity, but Professor Hubbard's painstaking study, *Origins of the TVA*, shows the thorny course of events before TVA was born. Begotten of the necessities of World War I when a shortage of nitrates made the United States dependent upon Chile, its security endangered by enemy submarines, the Muscle Shoals project represented a large governmental investment and a peculiarly attractive temptation to postwar politicians and business men.

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Agriculture in the form of the Farm Bureau Federation urged the production of fertilizer to solve the "farm problem." Congressmen from the eroded cotton belt were easily persuaded. Henry Ford, the legendary Paul Bunyan of industry, entered the picture with a vague but tantalizing offer to make the one-time industrial hope of the confederacy into a bustling Detroit. Realty speculators panted at the prospect of unearned increments. Local private power companies sought to get control of the white gold which would soon flow through the sluices of Muscle Shoals. The story is too long and complex to be retold in a brief review.

Suffice it to say that George Norris alone comes out of the long and tortuous narrative, as winding as the Tennessee River itself, with undiminished stature. It is true that Norris believed what he wished to believe, and that he was prone to find conspiracies wherever two business men met, but his suspicions were too often confirmed. Neither political party shows up in bright colors. Ultimately it was the over-grasping efforts of Ford, the private power companies, the chemical manufacturers, and private enterprise tainted with monopoly that produced a combination of midwestern progressives and southern Democrats which accepted public operation as an alternative to no action at all. Congressional investigations which revealed the ways of private power companies in influencing public opinion played no small part in producing a climate of opinion favorable to a legislative victory for the Senator from Nebraska. Finally, the crash of 1929 destroyed the myth of impregnability of free enterprise. Herbert Hoover's veto, as his political dogmas, was washed away by a tidal wave of votes in 1932.

It is clear that only a party victory bringing unity of executive and legislative policy would finally produce the formation of TVA. The New Deal poured the new wine of progressivism into the old Bourbon Democratic party and TVA was the consequence. A quarter century later "creeping conservatism" has allegedly seized control of TVA and George Norris's Nebraska, the only public power state in the union, has become the most Republican state in the nation where its public power cooperatives carry on bitter conflicts over markets for power. George Norris was not elected one of the five great senators to make room for Robert A. Taft.

Students of legislation and party politics will be grateful to Professor Hubbard for his careful and useful narrative of the long conflict over policy. His work is well done. He has examined the public records and some of the private papers. The secret of the real "origin" of TVA is not yet clear. Perhaps it came out of the mind of an orphan boy, George Norris, who saw

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his mother work too hard on the farm. Perhaps it was anger at opposition tactics in politics and campaign contributions of private power companies to his enemies. Perhaps it was reading about Canadian achievements with public power. This is another story to be told by the biographer of Norris. Meanwhile, Professor Hubbard's volume is a credit to its author and to the press which published it.

J. B. SHANNON

THE UNIVERSITY OF NEBRASKA

Dixon-Yates: A Study in Power Politics. By AARON WILDAVSKY. New Haven, Yale University Press, 1962.—xx, 351 pp. $6.75.

This is a lively, often fascinating account of the first "scandal" of the Eisenhower Administration—Dixon-Yates. Briefly the facts were these: As the Truman Administration left office in 1953, the demand for electric power in the Tennessee Valley Authority's Memphis service area was about to exceed capacity. The TVA asked for funds to build a new power plant but the incoming Eisenhower Administration, committed both to an anti-public power policy and to the reduction of expenditures, cut the TVA's request from the budget. The President announced, however, that the Atomic Energy Commission, TVA's largest customer, would seek a private supplier for part of its requirements in order to free sufficient TVA capacity for the latter's needs in Memphis.

The difficulty was that private electric companies were not interested in building a plant near the AEC installations at Paducah, Kentucky—an area without major customers if the AEC ever drastically reduced its requirements—though they were perfectly willing to build one in the TVA's territory near Memphis. Eisenhower's advisers consequently hit upon a "left-handed way of going about the problem" by having him direct the AEC to contract with a new utility complex headed by Messrs. Dixon and Yates (president and board chairman of Middle South Utilities and the Southern Company, respectively) for power to be delivered not to the AEC itself at Paducah but to the TVA in Memphis, purportedly to "replace" power that the TVA would continue to supply to the AEC in Kentucky.

Before Dixon-Yates could build its Memphis plant, it was revealed by the Administration's pro-public power congressional opponents that a consultant and representative of the Budget Bureau in working out the arrangement with the utility, was also a vice president of one of the two financial houses that were

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selling some $120 million of the new concern's bonds. In the midst of the charges of conflict of interests and corruption that followed, the city of Memphis suddenly announced that it would build its own power plant, and the Eisenhower Administration proceeded to cancel the contract with Dixon-Yates. The Administration then surprisingly refused even to pay out-of-pocket losses, contending that the conflict of interests situation (which it had previously denied existed) caused the contract with Dixon-Yates to be void, a position later upheld by the Supreme Court.

In constituting his account of this incredibly complicated controversy that eventually involved the President, the Budget Bureau, five committees of Congress, the TVA, the AEC, the Securities and Exchange Commission, the Federal Power Commission, the General Accounting Office, and various nongovernmental participants, the author drew upon: congressional hearings, reports, and debates; pre-trial court hearings and documentary exhibits; a dozen newspapers; and one hundred personal interviews. The resulting thoroughness of the description is impressive and illustrates excellently "how decisions get made and unmade when political power is dispersed and fragmented." My only serious criticism is that because of the lack of sufficient explicit analysis before the concluding chapter, the reader is occasionally overwhelmed and confused by the very immensity of the data. Also, the individual chapters on the roles of the more peripheral participants backtrack in time unexpectedly, making it extremely difficult to keep straight the correct sequence of events. (There is, incidentally, a mistake in the footnote on page 114: Senator Hennings was from Missouri, not Mississippi.) The author's conclusions show that he possesses considerable analytical skill, and if he had brought it to the surface earlier, I think that he would have had a still better book.

DEMETRIOS CARALEY

BARNARD COLLEGE

The Story of Fabian Socialism. By MARGARET COLE. Stanford, Stanford University Press, 1961.—xv, 366 pp. $6.50.

This is an anecdotal, lively, and richly detailed account of the activities and achievements of the Fabians, with the profiles of some of the more prominent deftly and sharply etched. It is likewise a history of the rather chequered fortunes of the Fabian Society. Recurrent squabbles between young Fabian rebels and the Old Guard are traced; the periods of decline are not ignored; but the main emphasis is on accomplishment. There is much new information on groups which, though Fabian-inspired, chose to work independently, such as the Labour Research Depart-

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ment. With such a vast amount of material to cover, the treatment is necessarily somewhat episodic.

From the beginning in 1883 and through the first thirty years, the book impressively supplements Edward Pease's cautious and dry history first published in 1916. Mrs. Cole makes her chief contribution in covering the later years, especially when drawing on her own firsthand knowledge and describing the work of her husband, the late G. D. H. Cole. Her comparison of the character and accomplishments of Cole and Sidney Webb is moving and fascinating. On Guild Socialism, Fabianism at Oxford, and the New Fabian Research Bureau—in all of which Cole played a central role—there is some excellent material, much of it primary.

The study is weakest in assessing the impact of Fabianism on English society. It is, to be sure, a formidable task to analyze what was unique about this brand of socialism and to measure what distinct contribution it made to actual reform. But a book intended to be the story of Fabian socialism, as the title and preface indicate, and not merely of the Fabian socialists, must be judged on these broader grounds. That the Fabians were eclectic, democratic and gradualist does not establish their uniqueness; these characteristics are common to revisionist socialist movements and to British politics generally. Sidney Webb was not the first to discern the inevitability of gradualness, and certainly the trade union-dominated Labour Party had no need for lessons in Fabianism in order to avoid crude Marxism and broad challenges to parliamentary government. The author is more to the point in stressing that propaganda based on searching investigation and hard facts, and the avoidance of jargon and sloganizing, distinguished Fabians from socialists of the doctrinaire or sentimental schools. Perhaps the Fabians functioned best as a sort of extra-parliamentary inquiry commission.

Though generally diffuse and elusive, Fabian influence at times has been explicit and clear, as in the framing of the Education Act of 1902, and in the drafting of the Labour Party's new constitution and long-range socialist program in 1918. At other times alleged Fabian influence proves under close scrutiny to have been largely, if never entirely, illusory. In the formation of the Labour Party and its decisions as to tactics and policy before 1914, it was at best peripheral.

Mrs. Cole is tough-minded and unusually objective for a participant. She can dismiss the more impudent claims of Shaw and dwell on the lapses into political myopia of the Webbs. She does not, however, always give due credit to other reformist ideas and tendencies. In trying to explain the social reforms of the Liberal Ministry of 1906 to 1914, far-reaching reforms which

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Mrs. Cole too glibly dismisses, one should consider how the philosophy of the "New Liberalism" differed from that of the Fabians, how it reflected greater suspicion of bureaucratic elitism and of all forms of compulsion. As a source of ideas for Lloyd George and other Liberal Radicals, social insurance in Bismarckian Germany was probably more important than any Fabian proposal. And it seems very nearly evaluation *in vacuo* to argue that the present near disappearance of the belief that poverty is inescapable can be ascribed "in great part to the persistent propaganda of the Fabians" (p. 330).

Until a great deal more work has been done over the whole field of social reform since the 1880's, no really satisfactory assessment of Fabian influence on the climate of opinion and on the course of legislation in Britain is possible. Mrs. Cole recognizes this problem. If in presenting so much information on the Fabians in such brief compass she must sometimes neglect the broader currents of change, she has the wisdom and the wit to observe that while assisting the Zeitgeist, the Fabians cannot claim it as a recruit. Her very readable book, full of brilliant insights, is by far the best study of the Fabians available.

PHILIP P. POIRIER

OHIO STATE UNIVERSITY

Heavens Below: Utopian Experiments in England, 1560–1960. By W. H. G. ARMYTAGE. Toronto, University of Toronto Press, 1961.—vii, 458 pp. $6.50.

"Why may we not have our Heaven here (that is, a comfortable livelihood in the Earth) and Heaven hereafter too?" asked the English Digger leader, Gerrard Winstanley, in 1649. This was not so much a demand to have his cake and eat it, as a perennial aspiration towards a more just and harmonious society which found expression in many different forms in England from the sixteenth century onwards. Two hundred and fifty years after Winstanley, William Morris had the same vision, and expressed it in terms of fellowship: "Fellowship is heaven," says the priest in the *Dream of John Ball,* "and lack of fellowship is hell: fellowship is life, and lack of fellowship is death." Institutionalized, this aspiration became the movement, or series of movements, for founding communities—millennial-religious, cooperative-socialist, and anarchist.

Professor Armytage is not the first to write about these community experiments, but his book is much the fullest account of their development in England to date. He has brought together a vast amount of information on all kinds of obscure and famous

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utopian ventures, and has arranged it lightly and yet methodically. The sources for such a study are extremely widespread, and his ample footnotes cover scores of references to scarce pamphlets, ephemeral periodicals, and studies in the byways of English social history. He avoids the temptation to raise a laugh at the expense of the numerous frauds and cranks who inevitably appear in movements of this kind, and instead presents their views in their own words, unadorned except for an occasional shrewd comment. The sheer weight of testimony which he adduces is such as to leave the reader wondering why the utopians have not received greater attention from the social scientists, why even the most famous of them have until recently been accorded no more than a footnote in the "standard" histories. And it is at this point that questions arise on which Professor Armytage's book, for all its thoroughness, provides only a partial illumination.

For instance, it is probable that the chief reason for the neglect of utopian communities is that they were nearly all, in some sense, failures; and it is notorious that history tends to be a record of successes. After the demise of a community some contemporary would speculate as to the reasons for its failure; but some more general analysis of "failure" in the context of the times would seem to be required. It may be that no such general analysis is possible for the wide variety of communities catalogued from 1560 to 1960. But in that case, what is the justification for bringing them all together under the generic term utopian? Except on the superficial level it is hard to see what Sir Thomas More's Utopia has in common with Robert Owen's communitarian socialism or with Welwyn Garden City. The heyday of community experiment was the period 1820–1850, and the mainspring of by far the greater part of this was Owenism, either directly or indirectly. Thus the significance of communitarianism in the 1830's and 1840's is to be found in its relation to the Owenite socialist ferment and the conditions of early industrialism, rather than by reference to what came before or after it.

The big question is whether it is possible to discover a framework within which all these social experiments can be contained. Ever since Marx and Engels denigrated the "promoters of duodecimo editions of the new Jerusalem" as utopians it has been customary to lump them all together under this head. This, however, obscures rather than enlightens their social significance. John R. Commons suggested that the "isms" of the 1840's should be regarded not as fads and cranky ideas but as the experiments of the social inventor; they represented the trials and errors of the beginnings of constructive democracy. Professor Arthur E.

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Bestor has shown how the communitarian approach offered a solution to problems of social reform at a time when other methods were unacceptable or discredited; it appealed not because it was escapist or "utopian," but precisely because it appeared eminently practicable. If a satisfactory conceptual framework for the deeper study of community experiments is to be found it will have to come from sociology or social history. The idea of utopia alone is just not adequate.

JOHN F. C. HARRISON

UNIVERSITY OF WISCONSIN

Nationalized Industry and Public Ownership. By WILLIAM ROBSON. Toronto, University of Toronto Press, 1960.—544 pp. $7.50.

This book is a sequel to *Problems of Nationalized Industries* (1952), a volume of essays by different contributors, edited by Professor Robson, with much material from his own investigations and reflections. The contents of the present work are solely the author's. Many of its views are similar to those of his earlier writings, but in one notable respect this book supplants anything that he has previously written: it examines with care the industries nationalized by the Labour Government more than a decade ago, submits a comprehensive and lucid assessment of why they were then nationalized, discusses how they have been administered and financed in the interval, and explores general ideas about their role and management in the modern parliamentary state.

The present study well illustrates how much nationalized industries are a characteristic product of British empirical policy. Socialist doctrine, of course, influenced the Labour Government in the five years after 1945. But what is most evident is that the Labour ministers dealt boldly with certain industrial problems, with which previous governments had cautiously tinkered. They acted more boldly, not merely because they were Socialists, but because the whole environment and circumstances of the immediate post-war years favored, indeed demanded, fundamental political surgery. This fact is especially manifest in an industry like coal. For a generation ministries attempted by successive expedients to reconcile the divergent interests within the industry on a basis acceptable and beneficial to the public. In 1938, for example, the Conservatives had expropriated the royalty owners' property rights, while they left the colliery companies free to manage their undertakings. In 1945, for a variety of reasons, the industry was in a more lamentable plight than ever. Its re-

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organization was imperative and only the Government could do it. In Professor Robson's words, nationalization in this instance was "the culminating point in the evolution of state policy and had become inevitable."

In other industries, except iron and steel, different conditions seemed to make a more or less reasonable case for nationalization. Iron and steel was an exception because it was technically progressive, had a respectable record in labour relations, and maintained a level of costs that compared favourably with that in other countries. Yet to Labour, particularly to its left wing, iron and steel appeared so central to the economy that it must be drawn within the public sector, while the Conservatives were no less determined that it should be left in the private sector. Professor Robson discusses the pros and cons of this contentious issue, and concludes that under all the circumstances partial nationalization would best further the interests of the public. His recommendation in this matter suggests the general tone of his book. He does not hesitate to express personal opinions and criticisms, but he usually assumes a middle position. His one emphatic conclusion, derived from prolonged study of the subject, is that the public corporation has continued to justify itself as the best instrument for administering nationalized industries and undertakings, and he is convinced that the major facts of Britain's experience in the last ten years support him.

Here, then, is an admirably clear, detailed and authoritative guide, enriched by comparisons with experiments abroad, to the main facts and critical issues of nationalized industry in contemporary Britain. Teachers and students in particular will find it a boon.

ALEXANDER BRADY

UNIVERSITY OF TORONTO

The British Cabinet. By JOHN P. MACKINTOSH. London, Stevens & Sons Limited; Toronto, University of Toronto Press, 1962.—xi, 546 pp. 50 sh.; $7.00.

To the generation brought up on Jennings' *Cabinet Government* the publication of another compendious volume on the subject might seem little short of *lèse-majesté*. But few admirers of that authoritative study would assert that the final word on the workings of the cabinet has been spoken, or deny that the mysteries still far outnumber the known generalizations. Mr. Mackintosh's book is an admirable addition to the literature precisely because he asks rather different questions from those put by previous commentators.

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His chief concern is with the changing locus of decision making in British government during the past three hundred years, and while his sources are fairly traditional (cabinet papers, memoirs and biographies of politicians, interviews with contemporary ministers), he often breaks new ground in his assessment of the power relations of the cabinet, ministry, Crown, Parliament, civil service, political parties and the public. His technique of dividing the book into historical epochs is particularly effective for this purpose since, in contrast to the usual cataloguing of powers and functions, it enables him to show how power relations change in response to immediate political and governmental needs and not as logical extensions of some predetermined "system."

Several of Mr. Mackintosh's theses are especially noteworthy because they throw doubt on generalizations in common currency. Twentieth-century British government, he insists, is no longer "cabinet government" in the sense that the cabinet makes fundamental policy. Instead, decisions are made chiefly by the prime minister in consultation with his advisors—sometimes cabinet cronies, sometimes junior ministers, sometimes civil servants, sometimes party leaders. The cabinet's main role has become one of coordinating but seldom initiating or determining the policies of government. Collective responsibility may remain, but collective leadership is a thing of the distant past, and the prime minister has evolved so far beyond being *primus inter pares* that he is every bit as "lonely" in his power as the American president.

Nevertheless, the power at the top is not absolute or impregnable. Prime ministers can occasionally be overruled and cabinets forced to back down from decisions. But by whom? Certainly not by the monarch in modern times, only infrequently by vague pressures of public opinion and, most important, almost never by the parliamentary Opposition. On those increasingly rare occasions when governments retract or adjust their programs, Mr. Mackintosh argues, it is mainly because of adverse reactions from their own backbenchers and the groups supporting them. "This is not so much power, as a high degree of influence and it does much to make the lives of M.P.s worthwhile" (p. 504). On the other hand, Mr. Mackintosh believes that governments need no longer live in fear of elections or in the shadow of the inevitable swing of the political pendulum. In an affluent mass society, any but the thickest prime minister can set the time of a general election to take full advantage of an upturn in economic conditions, Treasury largesse and the fleeting memory of the voters to perpetuate his party's rule, and he need not be

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overly concerned with the dangers of going to the people.

The book abounds in such controversial interpretations and is an exciting amalgam of history and political science. The author is best where he has the most numerous documents to draw upon, namely on the inter-relations of cabinet members and their dealings with Parliament and the Crown. He is much less convincing in his treatment of the political power of the higher civil service, which remains shrouded in mystery and guesswork. Here his reliance on memoirs does not serve him well, for while former ministers continue to turn out *apologias* and inside dope, permanent under-secretaries tend to remain discreet to the grave. Nor in the light of recent research does he give adequate attention to the cabinet's ties with party organizations or to the linkage of pressure groups and administration (though admittedly he might counter that the available data are on the thin side here). More serious is the absence of much material on recruitment to and advancement in the cabinet. We still know little about who gets in and who is left out, the social and political background of the successful, the nature of their apprenticeship or the criteria of their selection.

These *lacunae* apart—and the responsibility for them can hardly be put on any single scholar—the book remains one of the finest analyses of British politics to come our way in years. Those of us who were disappointed by "inside" views of cabinet life, such as Lord Morrison's *Government and Parliament,* are confirmed in our feeling that the best insights still come from scholarly outsiders.

JAMES B. CHRISTOPH

OHIO STATE UNIVERSITY

The Prophets of Paris. By FRANK E. MANUEL. Cambridge, Harvard University Press, 1962.—x, 349 pp. $7.50.

Spanning a century of time, from the middle of the eighteenth through the middle of the nineteenth century, the author has presented the content, implications and interrelationship of the thought of five French thinkers and of one "school." In succession appear Turgot, Condorcet, Saint-Simon, the "school" of Saint-Simon, Fourier, and Comte. Each of these figures is accorded a highly sophisticated and compact biographical treatment and subsequently personal details are appropriately injected into the unfolding tale of the intellectual contribution of the thinker. As Professor Manuel proceeds, he compares and contrasts the thinker of the chapter with the men already introduced and foreshadows the approaching "prophet." The histori-

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cal context in which the prophets lived is expertly insinuated; so, too, the historical impact of the five men on the thought and practice of our own age. If Professor Manuel's plan appears highly ambitious, it must be immediately stated that its execution has been eminently successful.

Forewarned in the preface that the author has a predilection for "psychological determinism" and "sociological determinants," the reader need not fear that Condorcet's egalitarianism or his proposals for women's rights, for example, will be explained exclusively in terms of the fact that his "devout mother, possessed with the idea of consecrating her son to the Virgin, kept him in skirts until he was eight" (p. 55). Nowhere, for this reviewer's taste, does Professor Manuel's use of the psychological or sociological tools fashion an ugly or distorted product. Professor Manuel is too good a craftsman.

Another obstacle which the author has skillfully hurdled is the danger of the biographer to become a hero-worshiper or devil-damner. If there emerges a "teacher's pet" among the prophets of Paris, it might be Saint-Simon, but the justice meted out to the Count is as objective as that meted out to the others. In exploring the debate on the intellectual debt the disciple Comte owed his one-time master, Saint-Simon, Professor Manuel is most judicious in rendering unto Saint-Simon those things which were Saint-Simon's and rendering unto Comte those things which were Comte's. No favoritism here; and, furthermore, this passage (pp. 257 ff.) reveals the author's keen critical insight and extraordinary adeptness in the use of historical materials. Convenient bibliographical capsules introduce the footnotes for each chapter and incidentally instruct the reader on the sources available for each prophet.

Finely woven into the prose fabric of *The Prophets of Paris* are yards of direct quotations from the thinkers themselves. Often Professor Manuel introduces, with a sentence or so, long passages from Turgot, or Saint-Simon or Comte and then comments briefly before repeating the procedure for the next stage of development. This reviewer is personally partisan to this method approximating a running *explication de texte,* but at times would prefer to hear more from Professor Manuel and less from the prophets, well-chosen though the quotations be.

In his epilogue (p. 314), the author speaks very properly of "a blind spot among the prophets of Paris, the absence of a tragic sense." Perhaps he intended here to include their lack of *nausée* or sense of absurdity in viewing *la condition humaine.* The author would surely allow for this addition since he concludes that the "refusal [of the prophets] . . . to contemplate the inherently

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tragic aspect of life itself, beyond the consolations of philosophy and history . . ., reduces their humanity to philanthropy."

It is not enough that Professor Manuel has provided us with a first-rate study of historical personages to whom the men of today owe more than is likely to be admitted. The author has, by design or inadvertence, written a book which makes clear and vivid the continuity and change in the transition from the Enlightened to the Romantic Age. Subtly he also separates the ephemeral, parochial from the abiding, universal elements in the thought of the prophets of Paris.

DONALD J. HARVEY

HUNTER COLLEGE

The Life of Jean Jaurès. By HARVEY GOLDBERG. Madison, The University of Wisconsin Press, 1962.—590 pp. $12.00.

In *The Life of Jean Jaurès,* Professor Goldberg has produced a masterly work which will interest students of French history and politics no less than of socialism. Eminently readable, it is the work of a careful historian, drawing heavily on unpublished or not readily available sources. The author recaptures the history of the period, in its broader sweep and its detail, and shows a good understanding of the socialist and labor movements (even if his treatment of Guesde is somewhat ungenerous and superficial, and he calls Hervé a syndicalist, though the Insurrectionists were always distinguished from their allies and never embraced their doctrine).

The various formative influences upon Jaurès (familial, regional, educational, philosophical) are traced and his maturation and evolution as a man, thinker, party leader and statesman are grounded concretely in the context of the political, intellectual, economic and social conditions and climate of the times and of the evolving labor movement. The effect is like a fine renaissance tapestry, in which many and varigated strands are woven into an intricate pattern. This is a principal merit of the study, for one cannot understand "great men" in isolation from the currents and events which formed them and upon which they acted.

However, against this embellished backdrop the central figure of the study does not always emerge as forcefully as one might wish. *Boulangisme,* the *ralliement,* the Dreyfus and Rochette affairs and diplomatic history are treated with admirable conciseness, yet sometimes in more detail than seems appropriate, while important points of analysis or insights into Jaurès himself seem sometimes understated by contrast. Partly one feels the

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limitation of the biographical form, where chronology and comprehensiveness sometimes make it difficult to distinguish between facts of primary and secondary importance and where the construction sometimes appears fragmentary or artificial. However, the political scientist will wish for more sustained analysis of Jaurès' thought and action, and of their consequences for the socialist movement.

To those who consider Jaurès utopian, Professor Goldberg demonstrates the realism of much of his idealism; to those who are critical of his peculiar conception of his role as leader and his addiction for synthesizing—whether ideas or groups—the author will recall his loftier purposes (for example, his conviction that working-class strength lay in unity and the *a priori* exclusion of no means of action). He effectively demonstrates that Jaurès did not move leftward merely out of expediency but did indeed "accentuate" his socialism and was genuinely impregnated by Marxism. In seemingly embracing the current reinterpretation of Marx, based on his early manuscripts (unknown in Jaurès' time), Professor Goldberg renders plausible Jaurès' peculiar adaptation of Marxism (as do certain modifications introduced by Marx and Engels themselves in their twilight years); and in an important sense Jaurès did "complete and renew" Marxism as the Marxists did not. But it may be countered that neither the early nor the late Marx is the "historical" Marx and to speak of synthesizing Marx' *system* and idealistic, democratic socialism is to introduce a dangerous confusion. In any case, it is difficult to see how Jaurès could have come to his interpretation of Marx, as the author claims, through a careful study of Marx' then known works.

Of the practical consequences of this synthesis of Marxism and idealism, revolution and reform, we find little analysis, and in assessing Jaurès' positive endowment to the socialist movement, the author all but ignores the negative legacy. For in the judgment of this reviewer at least, Jaurès' "middle course" meant stalemate, and he contributed not a little to the doctrinal, moral and tactical confusion which flowered at a later period but which existed in the party in his own day. Nor does the author examine the compatibility of Jaurès' own goals and tactics. Jaurès assigned equal priority, for example, to preserving unity within the socialist movement and harmony with the syndicalist movement, and cooperating with the Radicals for Republican Defense and reforms—goals which often conflicted, at least on the level of tactics. To give one example, if Jaurès was to win Radical support for his *nation armée*, it was imperative that he clearly distinguish himself from those groups in the party which wor-

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shiped the general strike and denied any distinction between a defensive and offensive war, indiscriminately urging soldiers to turn on their governments. Yet because of other goals (the disinterested goal of maintaining party unity and working class *élan;* the more interested goal of securing a majority in the party—against the Guesdists), Jaurès paid lip service to the ideas of these groups, thus becoming for many their accomplice and rendering more difficult cooperation with the Radicals.

These contradictions cannot be glossed over, even if one must probably conclude that the Jaurèsian synthesis did correspond to the character, needs and dilemma of the working-class and socialist movement, and to the realities of French society and politics—and that no individual with clearer ideas could have risen to his position of leadership.

Whatever its limitations, this is a solid and impressive work and Mr. Goldberg succeeds not only in communicating a feeling and appreciation of the man, but—more difficult—in depicting the organic development and evolution of Jaurès and his essential complexity.

SHIRLEY JEANNE LEHMANN

AMERICAN UNIVERSITY

The Unfinished Revolution: An Essay on the Sources of Influence of Marxism and Communism. By ADAM B. ULAM. New York, Random House, 1960.—307 pp. $5.00.

Dr. Ulam's central concern in this essay is with the appeal of Marxism and Communism to the underdeveloped peoples. He finds that Marxism "is the *natural* ideology of underdeveloped societies in today's world" (p. 285), but that if (and only if) the West recognizes this and understands why it is so, something can be done to prevent the natural appeal of Marxism turning into Communist domination of the new states. He traces the present western incomprehension of Soviet policy and influence to western disbelief that men can really shape their behaviour by a body of theory; this disbelief he attributes to our "unreflecting acceptance of *our own ideological premises* [that is, pragmatism] as having universal validity" (p. 199). It is a shrewd thrust. Yet one wonders if Dr. Ulam has not been caught up in the same acceptance of pragmatism as the norm. His thesis is that the appeal of Marxism is essentially limited to peoples who are being uprooted and dispossessed by industrialization and have not yet achieved the benefits of a developed industrialism. Given that industrialization is an irreversible world trend, Marxism is thus only transitionally influential: pragmatic liberal-democratic

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ideology (with a strain of evolutionary socialism) is the norm as soon as industrialization has given way to developed industrialism.

This is certainly an arguable case. Within the limits of an essay Dr. Ulam argues it skilfully, and with many sharp insights into the different conditions in which anarchism, syndicalism, laborism, evolutionary socialism, and Marxism can have an effective appeal. Marxism, he argues, is the only kind of socialism "that believes in industrialization, but can live as a revolutionary movement of importance only in symbiosis with a widespread anti-industrial feeling" (p. 130). Marxism owed its original appeal, and owes its present appeal in underdeveloped countries, to its combining a fervent belief in industrialism with a protest against the alienation of man that is inseparable from industrialization. "The contradictory parts of original Marxism are held together by one thing: the conviction that the growth of capitalism, of the industrial system, leads to a worsening of the worker's position" (p. 164); when that is disproved, as it is in a fully industrialized society, Marxism gives way to laborism and evolutionary socialism. Marxism is psychologically suitable only for the period of change from preindustrial to industrial society. "Marxism is *about* industrialism" (p. 60).

But is it? Marxism is about capitalism, of which industrialism is only a part. The alienation of man which, as Dr. Ulam emphasizes, took place on the grandest scale during the industrialization stage of capitalist development, was in Marx's view, a result not of industrialization, but of capitalist relations of production; alienation was a prerequisite as well as a co-requisite of industrialization. The worker had to be divorced from his rights in land and his access to productive capital before capitalism could take hold: "primary accumulation" had to precede capitalism; the transformation of labor into a commodity had to precede industrialization; capitalist "manufacture" preceded "machinofacture." It was left for industrialization to multiply the numbers affected, intensify the process, and increase the shock.

The point is of more than historical interest. For if Marxism is not just about industrialization, its appeal to the people of underdeveloped nations may not be as transitory as Dr. Ulam holds. However easily capitalist appropriation and industrialization may be equated by westerners looking back at the development of western capitalism (in which the greatest mass of persons was in fact brought into dependence during the stage of industrialization of the society), the two must appear strikingly different to the underdeveloped peoples of today, who have been

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subjected *en masse* to the first for a long time and have only recently been touched by the second.

Are these people attracted to Marxism because they are now undergoing the shock of industrialization? Or is it because, for half a century or more, they have been brought increasingly into subjection to a process more fundamental to capitalism than is industrialization, namely, dispossession by primary accumulation and the reduction of their labor to a commodity, and because they now hope to get the benefits of modern industrial technology without any extension or intensification of the pains involved in capital accumulation? Is their deepest resentment, is any of their resentment, against being brought in thrall to "machinofacture," or is it against having been brought in thrall to what might be called the imperialist stage of "manufacture"? Are they attracted to Marxism because, as Dr. Ulam argues, like Marx they idolize industrialism and are shocked by industrialization, or because like Marx they idolize industrialism and resent capitalist appropriation? It might make a difference. But no short review can either do justice to the complexity of Dr. Ulam's essay or develop the criticisms that its proliferation of ideas demands.

C. B. MACPHERSON

UNIVERSITY OF TORONTO

Systematic Politics: Elementa Politica et Sociologica. By GEORGE E. GORDON CATLIN. Toronto, University of Toronto Press, 1962.—xvi, 423 pp. $7.50.

Not since the eighteenth century—or, more exactly, perhaps, not since Spinoza in the seventeenth century—has there appeared a study of politics so comprehensive in scope and so rigorous in analysis as Catlin's *Systematic Politics.* This book develops fully, with massive detail and a wealth of critical comment on the literature, the scheme which the author first announced in his doctoral dissertation, *The Science and Method of Politics,* almost forty years ago. In the intervening years he has published much, and has carried on an active life of public service. These experiences have confirmed the brilliant youthful insight which is developed here in classic form.

The parallel to Spinoza leaps out, for the argument follows an almost geometrical line of development from proposition to proposition. As a matter of fact, the work is prefaced by a series of fifty-three propositions which progress in an orderly way through political science and political philosophy, and supply the skeleton of the book. But the differences are more important than the resemblances. Spinoza's is an axiomatic system which

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reduces a metaphysics of the universe to politics. Catlin's system, on the other hand, rests on an empirical base. In the manner of physical science it singles out a phenomenon for study and conceptualizes it; from this initial concept are drawn by logical analysis the implications and applications of the system. But logic alone is a treacherous guide in the empirical world; at each stage the argument must be verified or rectified by reference to fact. It might indeed be said that Catlin has achieved the science of politics which Hobbes and Spinoza would have described if they had employed the method of science rather than that of geometry.

Of course scientific method alone does not guarantee useful results. Success depends primarily upon the quality of the insight with which the author delimits and develops the field. This reviewer is entirely persuaded of the soundness of Catlin's approach and the tautness of his argument. We have here for the first time a system of "Pure Politics," by which is meant "the theory and analysis of the general political structure and functions."

It is impossible here to do more than indicate the direction of the argument. Political science deals with the control relations between men. Men seek to effectuate their wills; the realization of will is freedom. Catlin rejects determinism and insists that the impulse to freedom is the law of organic life much as does Horace Kallen in his *A Study of Liberty*. Power is a permanent means to freedom; therefore "all politics is by its nature power politics." But power is not, as for the German school, "some kind of Gothic demonic force." It is commonplace. The pursuit of power may express a desire for domination, but there is also an impulse to cooperative power. The concomitant of cooperative power is trust, which makes possible the values of community which play so large a part in Catlin's political philosophy.

Politics is always the pursuit of goods, but for every good there is a cost. Political goods are supplied through the political market. In the political market there are producers and consumers; there are monopolistic producers' markets, which are dictatorships, and consumer-dominated markets which are democracies. This analysis demonstrates the inadequacy of group theory; it also puts equilibrium theory in perspective.

One test of a scientific system is its capacity to accommodate and order the individual insights which have already been achieved in the field. Sovereignty, authority, the nation, the party, checks and balances, the iron law of oligarchy, *Gemeinschaft* and *Gesellschaft*, status and contract, the classical analysis of political forms—even Parkinson's law—find their places within

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Catlin's system. To be sure, in this system they do not always have precisely the same content that they had in isolation, but the change involves a rectification rather than a distortion of meaning.

From political science Catlin turns to political philosophy, the study of values. There are political values which are grounded in the entelechy of man's rational and instinctual nature. Catlin calls his position natural law, but it seeks no support, as natural law systems usually do, from theological premises. Rather, his ethics is secular and empirical, as it should be if it is to complement his political science. The identity of his view of freedom with Kallen's was mentioned above; one might expect his entire ethics to be pragmatic, for the pragmatists too sought an empirical ethics compatible with science. But Catlin rejects Dewey. He distrusts the confidence of the pragmatists, their commitment to an unrevealed future; and he also distrusts moral spontaneity. The familiar alternative to ethical individualism is, of course, Hegelian idealism; but with this Catlin has even less in common. He finds value revealed in the experience of the community rather than in the state. Like Aristotle, he leans on tradition, on the consensus of educated men on questions of value. Conscience is a fallible guide; for values are only probable, and they are, or should be, learned rather than intuited. They are to be learned from the Great Tradition which extends from the Greeks to the present day. Briefly put, this tradition is humanism.

The theme of community therefore runs through the entire book. On the scientific level, it is the cooperative power which supplies trust, the only alternative to force and tyranny; it is also the heritage which resolves issues of value. With an optimism especially brave in these days, Catlin looks forward to the eclipse or disappearance of the state to the advantage of a community of values which might more appropriately be called a church. It was really to contribute to the achievement of this vision that Catlin developed his political science, his "Pure Politics." This science may not lead to the desired goal, but at least it makes it possible to deal rationally with the problems of politics.

FRANCIS D. WORMUTH

UNIVERSITY OF UTAH

South African Predicament: The Economics of Apartheid. By F. P. SPOONER. New York, Frederick A. Praeger, 1961.—288 pp. $5.00.

South Africans have long claimed that no one outside that country understands the complexity of its problems. F. P.

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Spooner is a South African who has had wide experience in many phases of his country's economic life, and who comes of a family with deep roots both in the Afrikaner and the English sides of the white population. He is convinced that South Africa is heading for disaster unless the government radically changes its course of development. His argument is the more convincing because he puts much of it in economic terms.

The gist of what Mr. Spooner calls the South African predicament is that the country's striking economic development has brought so little, if any, advantage to the great mass of the population (which is, of course, non-white) that only a small proportion of the people (that is, the whites) have the wherewithal to buy the goods produced. In other words, South Africa has embarked on twentieth-century industrialization without accepting the obligation of raising the real earnings of the mass of the workers to what he calls "effective twentieth-century consumer levels." The result is not only a serious imbalance but also a far less soundly based economy than is generally supposed. Danger signals, he points out, are a lack of dynamism in the manufacturing sector, over-heavy investment in building and construction, excessive imports of specialized goods for the whites, and above all an almost unique dependence of the South African economy on exports, in particular, gold. To maintain the competitive position of its exports, and thus to be able to afford the other aspects of South Africa's economic activities, the wages of non-white labor are kept low, thereby intensifying not only South Africa's basic economic problem but also the tensions based on race and color.

In many respects, South Africa reflects within itself the major problems of the world community. Its long established white minority maintains its dominance within South Africa but cannot (or should not) ignore the rapid expansion of African political control throughout much of the continent any more than the long-established Western countries can (or should) ignore the growing international influence of persons of color. On another level, no less significant, rich countries are becoming richer and poor countries poorer while in South Africa, according to Mr. Spooner's calculations, the standard of living of the whites has risen some forty per cent while, in sharp contrast, that of the Africans has sunk by over six per cent. Whether or not his calculations are precisely those which another statistician would accept, their general correctness and their implications cannot be denied. Again, as in the international community, numbers, color, and poverty are found in the same camp. Is it surprising if the drive to change is found there too?

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Looking for alternatives to the current situation, Mr. Spooner finds no hope in the Nationalist Government's program of territorial apartheid, or Bantustans. To invest adequate capital to develop them industrially is well beyond South Africa's capacity, he believes, even if far more will were found to do so than appears at present. But should some heroic effort make the African areas industrially productive, their flow of goods, in his view, would swamp the production of white South Africa. Rather than subdivide South Africa, Mr. Spooner's hope is for a broad development of the wider territory of southern Africa. He clings to the belief that such a development should be under white direction but with an equitable sharing of returns with the non-whites. The chances are slim, but the goal is worthy of far more efforts than it is receiving.

South African Predicament is an honest book. It is almost colloquial in places, as if its author is arguing his points before his readers. It has a sense of urgency which is all too appropriate. The first part of the book brings us nothing new but it lays out in readable fashion the features of land and people as they existed in 1959. The second part is distinctly thought-provoking. It could well be a stimulus to further analysis of the economics of apartheid, both as practiced and as envisaged by the government.

GWENDOLEN M. CARTER

SMITH COLLEGE

Africa and the West: Elements of a Free World Policy. By ARNOLD RIVKIN. New York, Frederick A. Praeger, 1962.—viii, 241 pp. $5.00; paperback, $1.85.

In this year's flood of general books on Africa, few deal specifically with the new problems of foreign relations. This, Arnold Rivkin's collection of policy-oriented essays tries to do. He is a lawyer and publicist experienced in administering the Marshall Plan. More recently he directed a research project on Africa at the Massachusetts Institute of Technology. His twelve essays have the aim of producing "elements of a policy through which the free world can facilitate African economic development, the need for which is the priority problem growing out of the African independence revolution" (p. 212).

The reader must pick these elements of policy out by himself, since many of Mr. Rivkin's essays are primarily vehicles for his opinions on contemporary news items on Africa—on subjects as loosely connected as Israel and Africa, the role of the United Nations in the trust territories, and the changing policies of west-

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ern Europe towards Africa. He favors technical assistance for Africa by Israel, and is one of the few writers to discuss details of this subject. He points to Israel's record in development, and mentions it as a small nation which African states do not regard as a threat. He believes the United Nations has a continuing responsibility to safeguard the borders of the former trust territories of Togo, Cameroon and Somalia, and points out the special security issues raised by the existence of border problems with immediate neighbors. Legally, this can be argued, but not historically. Mr. Rivkin does not ask the important question: Why preserve borders of some tiny states inhabited by fewer than five million? He does not recall that most of the present borders were drawn (without reference to Africans) by the colonial powers to help them settle past European wars. Moreover, he does not point out that it is hard to develop tiny pocket-handkerchief states, and that there are limits of scale to be taken into consideration by policy makers.

Yet, one of Mr. Rivkin's basic points is, quite rightly, that African independence must be taken for granted and that development is the order of the day. The essay dealing with incentives to development makes interesting reading. Mr. Rivkin shows, for example, that economic incentives are far more effective than coercion in raising worker productivity.

It is a pity, therefore, that Mr. Rivkin does not really come to grips with problems whose existence he certainly recognizes—the contradictions between United States willingness to aid developing nations, our search for political allies, and our position in favor of democracy. Early in the book he repeats the old confusion that the western nations are for democracy and against authoritarian models both political and economic, and that the Russians are for dictatorship. He forgets our dictatorial allies, ranging from South Africa to Ethiopia, to name but a few African examples. Mr. Rivkin believes "The contrast between the United States interest and policies in Africa and those of the Communist bloc is total" (p. 70), and his views allow little room for a relatively neutral position in the cold war by leaders of new African states. He does not much like Ghana or Guinea, and ignores Algeria. It can be argued, however, that future policy towards the new Africa must take into consideration Africans' desire to develop in their own way, not in ours.

Yet another limit in the book is in the discussion of machinery for economic aid. There is too much of the past in it, and too little of the future; too much of the former metropoles, and not enough of Africa. Development in Africa must mean machinery

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for economic relations among African states, not only between the African states and the developed nations. Machinery for regional development in Africa needs to be considered—to cope with the resources of the Sahara, for example. Mr. Rivkin does not ask what is the effect on economic relations among African states, for example, of the division into African countries dealing in the franc, the dollar and the pound sterling.

Finally, Mr. Rivkin's book is limited by a certain moralizing tone. "The leaders of newly emergent African states must choose between bread and circuses" (p. 173) is an example. Does this not require them to be wiser than the leaders of the developed countries?

RUTH SCHACHTER MORGENTHAU

BOSTON UNIVERSITY

The Colonial Reckoning: The End of Imperial Rule in Africa in the Light of British Experience. By MARGERY PERHAM. New York, Alfred A. Knopf, 1962.—204, vi pp. $3.95.

Turning from the monumental labors which she has devoted to Lord Lugard, Margery Perham in this small book, which embodies an expanded version of her recent Reith lectures for the B.B.C., undertakes a retrospective look at the colonialism which has occupied so much of her life. Although her title might be taken to imply a broader range, she confines her attention for the most part to the experience of the British in Africa, but she engages in a number of rewarding forays and excursions into other parts of the world and the role of other imperial powers. Denying any intention to draw up a complete imperial balance sheet—"To attempt to judge an empire would be somewhat like approaching an elephant with a tape-measure"—she nonetheless presents us with an informed and balanced judgment which illuminates many aspects of the great and almost vanished era she is surveying.

One central theme in her commentary is the reversal in attitude toward imperialism which has swept the world in recent decades, establishing a climate of opinion in which the mere existence of a colonial regime, whatever the nature of its problems and conduct, is assumed to be an admission of guilt. Surely she is right in her characterization of imperialism as a phenomenon which has not only existed throughout history among all manner of peoples but has also far more frequently than not been taken as a symbol of power and success. The objections of those who were overrun and the denunciation of particular imperialist episodes as intolerable abuses detracted only marginally from the

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high esteem in which imperialist prowess was held.

In seeking out the causes of the present wave of anti-colonialism and anti-imperialism Miss Perham reviews such familiar themes as the effect of a Western style of education, economy, and administration, racial discrimination particularly when directed against Asians and Africans who had achieved higher Western education, the rise of the Labour Party and the triumph of Bolshevism, and the pressures from the United States. In the largest view she suggests that the current anti-colonialism must be seen as the latest phase in the reaction of the rest of the world against the long domination by the West. As she points out, one of the striking elements in the picture is that the standards and ideals which are drawn upon by the anti-colonialists to condemn the imperialism of the West are so largely derived from the West itself.

What is most notable about the book throughout is the temperateness and sound good sense with which the author approaches the often emotion-laden topics with which she is dealing. She finds in Britain's versions of colonialism, including the indirect rule which she has elsewhere scrutinized in detail, much which is good as well as many shortcomings, and she contrasts with the British pattern what she describes as France's "secret weapon of assimilation," giving "the African elite what they valued more than anything else in the world, what we so long failed to give them, the respect of equality."

With appropriate reservations she is optimistic about the future of Africa, even though it is evident that the guidance into the modern world furnished by the colonial powers was at its best only inadequately accomplished and at its worst left a situation in southern Africa which has frightening potentialities for trouble. She reads the omens for the white settler territories as calling for the removal of both European rule and European colonization, leaving the whole continent to the control of its black and brown inhabitants. She is rightly convinced that once racial self-consciousness and political awareness have been aroused, foreign rule can no longer be expected to make any significant contribution, but there is still much which the West can do on terms of equality and friendship to aid Africa's advance.

Temperate and balanced as is her own approach, she is well aware of the strength of the anti-colonial passion which dominates so much of the world and plays so great a role in the affairs of the United Nations where the multitude of newly created neutrals stands between the great bi-polar antagonists. The assessment which Miss Perham has made of the past and of its

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bearings on the immediate future should help to prepare the way for an understanding of the immense problems which lie ahead.

RUPERT EMERSON

HARVARD UNIVERSITY

Colombia: A Contemporary Political Survey. By JOHN D. MARTZ. Chapel Hill, The University of North Carolina Press, 1962.—xii, 384 pp. $7.50.

Increasing numbers of Latin Americanists are placing us in their debt by abandoning generalizations of continental sweep in favor of smaller units of study. This statement is not intended as an affront to the pioneers of Latin American studies who sought the uniformities that make the region distinctive in global terms, for their contributions have been substantial. But the panoramic view has often obscured sharp differences and the immense range of variation which, in Latin America as elsewhere, are frequently coincident with national boundaries.

Nor is this meant as a plea for exclusive attention to national societies as focal points of research. Studies of communities, social groups, and themes of cross-cultural or trans-national significance are equally fruitful and deserving of encouragement. Nevertheless, the neglect of individual Latin American states—Colombia, for some reason, more than most—has been serious, the more so as the literature on national themes produced in the countries themselves so often subordinates empirical data to one kind of special pleading or another.

Colombia is neither the largest, most populous, richest, nor most powerful state on the continent. Its status as one of the leading republics derives more from the impalpable factors of intellectual and cultural leadership. It is in this sense that Colombian political experience may be projected abroad to its sister republics, or, in the author's words, that "a study of contemporary Colombia may erect signposts pointing toward political developments far beyond the confines of national borders." In any more concrete sense, it must be supposed, the country's political situation is too unique to be readily applicable elsewhere.

The uniqueness is found both in the profound cleavage, transcending social and economic factors, between Conservatives and Liberals, and in the National Front agreement by which the two major parties tried to restore viable political life after the deposition of dictator Rojas Pinilla. Party strife—more like warfare than competition for office, especially in the violence-ridden countryside—inaugurated Colombia's unhappy postwar period

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and led to the *bogotazo,* the 1948 riots that followed the assassination of the popular leader, Gaitán. After a brief summary of the immediate political background, Martz begins his detailed narrative at this point and carries it through the period of Laureano Gómez' autocratic and vindictive rule and the inept military dictatorship of Rojas Pinilla. The account reaches a more hopeful phase in 1957 with the inception of the bipartisan agreement, designed by a Liberal statesman Lleras Camargo and consented to by the old Conservative warrior Gómez, for the division of political offices and the alternation of the parties in control of the executive branch. This novel approach was possible only in the face of desperate conditions, but it has recently (spring 1962) survived the test of transition from Lleras Camargo's presidency to the choice of a Conservative successor.

Bringing his chronicle to the end of 1960 with a cautious evaluation of future prospects, Martz completes a skillful reconstruction of a decade and a half of political events. An easy prose style cloaks what must have been an immense task of sifting and untangling. One regrets his reluctance to examine more closely such ideas as the corporativist bent of Laureano Gómez, but that kind of omission is offset in part by a genuine flair for describing and assessing the personalities so important in Colombian public life.

A more serious objection concerns the virtual absence of the kind of social and economic material that would have revealed the roots of political power, both on the national scene and on the local level where the problem of unrestrained violence is so acute. Martz alludes in his preface to the advice of readers to reduce "what was originally a lengthy section dealing with geographical, social, and economic circumstances." Such advice, if the section in question was as penetrating as the treatment of events, may have been a disservice. The full implications of the account take in the nation's whole political fabric and invite an analysis which goes beyond the immediacies of political activity in the national capital. Helpful and fascinating as this book is, the interpenetration of social system and politics remains largely unexplored.

LYMAN H. LEGTERS

THE AMERICAN UNIVERSITY

Brazil: The Infinite Country. By WILLIAM LYTLE SCHURZ. New York, E. P. Dutton & Co., 1961.—346 pp. $6.00.

At long last, the people of the United States seemingly are becoming aware of the presence of the immense and dynamic

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Portuguese speaking nation to the south of us. Our newspapers bring stories of the poverty stricken arid northeast of Brazil and the dangers which this may imply to the Brazilian democracy, of the new "independent" foreign policy of Brazil, of the dramatic resignation of President Jânio Quadros, and of other suddenly newsworthy events in Brazil. We also find that we know little about this important country. A satisfactory history of Brazil has not been published in English since that of Robert Southey in 1817 and Portuguese is so little known in the United States that it was declared a crucial language, along with Russian, Chinese, Arabic, and Hindi, for purposes of the National Defense Education Act.

The present book by Mr. Schurz is a wide ranging survey of the Brazilian scene. His book covers many aspects of Brazilian society—climate, physical environment, history, demography, flora and fauna, agriculture, education, industry, health and politics. The author is a well-known Latin American expert and he has had considerable firsthand experience in Brazil (and elsewhere in Latin America) over a long period of time. As long ago as 1919, he saw *flagelados* (refugees from the drought) "like so many ghosts returning to the living being fed in the streets of Fortaleza" (p. 38), and he knew then that poverty in the northeast was an important Brazilian national problem. He has also traveled by canoe on the Amazon, visited the coffee groves of São Paulo, and seen the Italian and German settlements in the extreme south. His wide firsthand experience enriches his descriptions of Brazil and Brazilian institutions. This is a valuable background report for those now discovering Brazil and it contains much of interest to the specialist.

Although Mr. Schurz has provided us with a relatively up-to-date picture of Brazil, the urgency of contemporary Brazilian problems and the drama of recent social and economic changes in Brazil did not come through to this reader. Perhaps the ambitious scope of the book meant that many facets of a complex nation had to be touched upon lightly and even superficially. To understand modern Brazil, one must know something of the emerging middle class in São Paulo, Rio de Janeiro and other cities and the frustration caused by chronic inflation, lack of educational facilities, and rising expectations. One should understand the new "nationalism" with its independent foreign policy and its pride in all things Brazilian—even the Brazilian-made Willys Jeep is said to be superior to its North American model. And, a study of modern Brazil should discuss the disequilibrium between the feudal and traditional north and the progressive and industrialized south of the country. These and many other con-

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temporary trends and problems are mentioned but not analyzed in the present work. Brazil is going through a rapid social and economic revolution and it is not at all clear what form the new Brazil will take. Mr. Schurz provides us with the background but he does not help much in diagnosing the future.

CHARLES WAGLEY

COLUMBIA UNIVERSITY

The Children of Sanchez: Autobiography of a Mexican Family. By OSCAR LEWIS. New York, Random House, 1961.—xxxi, 499 pp. $7.50.

Important changes have taken place in Mexico during recent years as a result of her social revolution. The population has been increasing at a fantastic rate; yet the gross national product has been increasing at an even more rapid rate than has the population. This is due partly to industrialization and partly to improved efficiency in agriculture. Progress is also notable in education, highway construction, health facilities, and in the general level of living of the people. Life expectancy at birth has increased from only thirty-nine years in 1930 to about fifty years in 1960.

While progress in the over-all development of the economy is apparent, the benefits have been very unevenly distributed. Large segments of the population have been left almost untouched by any improvements that may have taken place. This is particularly true in whole sections of the rapidly growing cities. Mexico City, with more than four million inhabitants, is now the largest city in Latin America, and it is estimated that about one third of her people live in slum-like housing settlements known as *vecindades.* These areas for the most part lie off the beaten tourist paths, behind the beautiful boulevards, away from the luxurious hotels, and out of sight of the magnificant city parks. This book has its setting in one of these poverty-stricken areas.

Oscar Lewis is a well-known social anthropologist who has had valuable experience studying the cultures of other societies, especially those of India and Mexico. His two previous books on Mexico, *Life in a Mexican Village* and *Five Mexican Families,* have been favorably received. The latter work included the Sanchez family, of which the present one is a much more detailed study.

This work is an attempt to present through the results of tape recordings the life histories of the five members of the Sanchez family, which includes Jesús Sánchez, the father, age fifty, and his

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four children: Manuel, thirty-two; Roberto, twenty-nine; Consuelo, twenty-seven; and Marta, twenty-five. The author's avowed purpose is to "give the reader an inside view of family life and of what it means to grow up in a one-room home in a slum tenement in the heart of a great Latin American city." Each member of the family is permitted to tell his own life story to the reader in his own words. The author believes that the independent versions of the same incidents related by the various members "provide a built-in check upon the reliability and validity of much of the data and thereby partially offset the subjectivity inherent in a single autobiography."

The author spent hundreds of hours with members of this family and obviously had their complete confidence and cooperation in making the recorded interviews. He asked hundreds of questions and attempted to cover systematically a wide range of subjects including: "their earliest memories, their dreams, their hopes, fears, joys and sufferings; their jobs; their relationship with friends, relatives, employers; their sex life; their concepts of justice, religion, and politics; their knowledge of geography and history; in short, their total view of the world."

In preparing the data for publication the author's questions were eliminated and the other materials were selected, arranged and organized into coherent life stories. Although one could wish that the questions had also been retained, it is easy to see how the work, which already occupies 500 pages, would have become unmanageable if the questions had also been included. The work is a powerful presentation of "life in the raw" as it is probably lived by thousands, or even millions, of inhabitants in the cities of Latin America who have been trapped on the lower level of the social pyramid. These people living in what the author calls "the culture of poverty" are characterized generally by congested living, a high incidence of alcoholism, early initiation into sex, free unions or consensual marriages, high incidence of abandonment of mothers and children, predisposition to authoritarianism, frequent periods of unemployment, a sense of resignation and fatalism, and a whole host of other characteristics. Perhaps the culture of poverty concept used by the author should be modified slightly to read "the culture of *urban* poverty," since some of the characteristics depicted here would probably be much less evident among poor people in villages and farm areas.

The translation into English of the materials from the Spanish must have been a difficult task, since equivalent idioms do not exist in all cases. At times it may appear to the reader that the literary quality of the prose seems more sophisticated than might

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be expected from uneducated, poverty-stricken people. The author is well versed in Spanish, however, and one can assume that his translations are reasonably accurate. The stories certainly read well and give the reader an intimate view of life behind the scenes among the urban poor. One is impressed by the apparent sincerity of the individuals involved in telling their life stories—their hopes, aspirations, disappointments, frustrations, and the almost hopeless economic predicament into which they eventually get trapped.

This work is an important one both from the standpoint of originality of method and for the information it supplies. It deserves wide reading, especially by anyone interested in understanding the problems that confront large segments of Latin America's population.

N. L. WHETTEN

THE UNIVERSITY OF CONNECTICUT

The Mandarins: The Circulation of Elites in China, 1600–1900. By ROBERT M. MARSH. Glencoe, The Free Press, 1961. —xvii, 300 pp. $6.00.

To Change a Nation: Propaganda and Indoctrination in Communist China. By FRANKLIN W. HOUN. New York, The Free Press of Glencoe, Inc., 1961.—x, 250 pp. $6.50.

These two volumes are important specialist contributions to the study of premodern and modern China. The first deals with the character of the Chinese elite during the Ch'ing Dynasty, and the second with the use of propaganda as a principal means whereby the Communist regime maintains control over the population of mainland China.

The nature of the Chinese ruling class in imperial times has long preoccupied students of Chinese history. Particular controversy has raged around the social basis of the mandarinate, and methods of recruitment into and advancement within the bureaucracy. The sentimental myth has always been that imperial China's justly vaunted bureaucratic examination system provided for democratic recruitment of the governing elite. Serious scholarship, on the other hand, has generally refuted this comfortable legend, and insisted rather that entrance into the governing elite was dependent upon privileged family position.

Mr. Marsh's important contribution is perhaps the most careful study yet made into the problem of elite mobility during the Ch'ing Dynasty. His method has been to examine in great detail the careers of 572 officials, based on information derived primarily from *Eminent Chinese of the Ch'ing Period* and other sources. His principal conclusions are interesting although not

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entirely startling. In the first place, Marsh confirms the usual view that family advantage played a great part in recruitment into the mandarinate. Thus, "the elite were recruited disproportionately from the 2 per cent of the population in the elite stratum, rather than from the 98 per cent of the population in the below-elite, or commoner, stratum."

But Marsh pays relatively little attention to this aspect of the problem in order to concentrate on the narrower question of mobility within the elite. Here Marsh's conclusions go contrary to the predominant view. He demonstrates from the careers of his sample of 572 officials that while family background continued to have some influence after entrance into the bureaucracy, this influence was much less significant than has usually been thought. Seniority and achievement were more decisive than hitherto believed, and nepotism was apparently less important. "While the officials *recruited* to the bureaucracy in the first place came mainly from the privileged strata, the officials with the greatest *advancement* in the bureaucracy were as likely to be from commoner families as from official families, as a result of such bureaucratic criteria of promotion as seniority and objectively determined achievements."

Houn has addressed himself to a subject of much broader contemporary significance. His book is a systematic study of the organization and operation of the Chinese Communists' apparatus for propagandizing and indoctrinating the hapless mainland population. It is a useful work of descriptive scholarship in which the author has felt it necessary to act neither as critic nor apologist for Communist practice. One may regret, however, that Houn has devoted only a brief concluding chapter to consideration of the efficacy and consequences of Peking's policies and practices in the field of internal communications. Some of his findings are extraordinarily interesting. Thus he asserts that, contrary to what one might expect, Communist propaganda is relatively insensitive to the popular reaction it produces, and that insistence upon political participation has markedly reduced the productivity and competence of Communist China's intellectuals and technicians. Unhappily these and other provocative conclusions are only briefly explored.

Perhaps it is unfair to comment on the quality of the writing. Marsh has employed so much sociological jargon that it is a positive chore for the non-sociologist to wade through his text. His book will be much less widely used on this account. Houn, at least, can be read without difficulty.

WILLIAM HENDERSON

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The Triumphant Empire: Thunder-Clouds Gather in the West, 1763–1766 (Vol. X of *The British Empire before the American Revolution*). By LAWRENCE HENRY GIPSON. New York, Alfred A. Knopf, 1961.—lxxv, 414, lii pp. $8.50.

The opening sentence of Mr. Gipson's preface recalls to the reader that he is being introduced not only to *a* history but to history. "This is the volume that I had hopefully planned to write when in 1924 I began the preparation of a series on the British Empire before the American Revolution." The dedication to Charles Andrews, who in 1924 as president of the American Historical Association addressed his fellow-historians on "These Forty Years," extends our sense of what this volume, the tenth in a series of twelve, means as historiography.

Its chronological span—from the Peace of Paris to the Repeal of the Stamp Act—is not so mechanically observed (any more than in preceding volumes), that the reader dangles in ignorance. Important matters are placed in their context. Mr. Gipson opens with a masterly survey (already printed in *New York History* [1959]) of the North American colonies in 1763, showing how ripe they were for revolt and suggesting the inadequacies of imperial administration. From here he goes on to establish his generalizations with abundant sources, manuscript and printed, colonial and English, public and private, and an avalanche of monographs. Can there be any material he has neglected, any, indeed, that he has misrepresented?

By and large the reader puts down this volume convinced that the American Revolution was the product of economic factors and that these very years comprise the crucial period from which war inevitably stemmed. More than half the chapters deal specifically with fiscal problems—debts, subsidies, taxes—and the remainder are concerned with the political consequences of financial policies. Throughout, the detail is staggering; many, many pages bristle with £'s. Surely the book will be enormously useful to the student of the Revolutionary period, especially one concerned with parliamentary payments to the colonies, the liquidation of colonial war debts, and paper money, though he will now and again be perplexed by some arithmetical inconsistencies: the difference for example between £10,000,000 and £6,759,361 is *not* £3,231,000. On the other hand he will chuckle over the discovery that in 1757 Massachusetts paid a bounty of £300 for an Indian scalp and a salary of £250 to the president of Harvard. *O tempora, o mores!*

As one might expect, the more interesting, though perhaps less original, chapters deal with political problems, and here, as else-

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where, Mr. Gipson has not been content to paraphrase and reset other men's pages. Time and again he has gone back to the sources, even remote sources. The consequence is rather solidity than novelty, rather substance than interpretation. Nevertheless, Virginia's challenge to government from London, centering around the disallowance of provincial statutes, planters' debts (*Virginia Magazine of History and Biography* [1961]), and the "Parson's Cause," is handled in a way that projects the problem of administering mature societies with machinery designed for infant plantations. The story of the rise of the Sons of Liberty and other manifestations of violence becomes in the author's hands more than a chronicle of agitation. Throughout he is chary of generalization and on every major topic treats the situation in each colony. If the approach makes for some repetition it also illumines the complexity of the American problem, a complexity recognized however dimly by members of the British government. Their efforts to relieve tensions are here related no less carefully and substantially than the events in America.

Mr. Gipson has the two final volumes of his masterpiece in preparation and they will be making their appearance before long. In addition, he has revised the first three volumes and has further plans in this regard. The whole, when completed, will be a definitive account of an important era published in a form fitting so magisterial an achievement.

CHARLES F. MULLETT

UNIVERSITY OF MISSOURI

The Holstein Papers. Edited by NORMAN RICH and M. H. FISHER. Cambridge, Cambridge University Press, 1955–1961, 3 vols. Vol. I, *Memoirs and Political Observations* (1955),—xxvi, 216 pp. $5.00; Vol. II, *Diaries* (1957),—xix, 404 pp. $8.50; Vol. III, *Correspondence, 1861–1896* (1961),—xv, 665 pp. $17.50.

Although it is not customary for history texts to use the rubric "German Century" in the same manner that the "Spanish," "French," or "British" epithets are used to describe other periods, it may fairly be said that Germany lies at the center of the European story from the time of her emergence as a unified state almost until today. The fact that the significance of much of German policy during this period derives from the reaction that the view of its aims induced in others makes her importance none the less: Europe, much of the world in fact, has been confronted and beset by the German attempt to find an adequate place in the community of states, the failure to agree on the definition of

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"adequate" being in large degree the source of the great twentieth-century conflicts.

The figure of the maker of the Second Reich, Bismarck, appropriately dominates the international scene during the twenty years of his tenure of the chancellorship. But outward evidence of position is not necessarily adequate measure of the degree of real power, often wielded from behind the scenes. Such was the case of Holstein, long entrenched in the German foreign office though never holder of the ministerial title. His influence has long been recognized, but the relative shadow in which he operated has caused legend to grow around his figure. Especially after Bismarck's dismissal his power was indeed very great, and the ultimate failure of German policy has caused some to regard him as its evil genius.

For more than thirty years the official record of Germany between 1871 and 1914 has been available in the impressive collection of the *Grosse Politik;* and for all that the passage of time has brought increasing criticism of the editing of the German state papers, the quantity of information that they contain is vast. Nevertheless, considerable interest attaches to what Holstein might have to say. The very story of his papers and their publication, of which three volumes are now available, as told in the introductions to these volumes, is itself an interesting one.

It may be said at the outset that expectation is generally deceived in so far as the nature of the source had whetted it. For one thing the quantitative contribution is highly irregular and uneven. The *Memoirs,* much of them made up of recollections written long after the events, give neither significant revelations nor deep insights. The *Diaries,* irregularly kept, and only during the eighties at that, are best described as scrappy; and the *Correspondence,* likewise very uneven in bulk, does not extend beyond 1896, the last two years being the fullest. Also, the arrangement, if perhaps inevitable, makes for much repetition and these volumes should be used concurrently as well as in conjunction with the *Grosse Politik* to which abundant references are made.

That Holstein should emerge with credit from this publication need hardly be cause for surprise, though his lonely and morose figure remains improperly delineated, still lurking in the shadows in which he preferred to remain. Allowing for these limitations, considerable interest attaches to these papers; even negative evidence has significance.

On the score of the three great fallacies of German foreign policy, the impossibility of the formation of Franco-Russian, Anglo-French, and Anglo-Russian connections, one looks in vain

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for enlightenment. Only in a footnote is Holstein quoted as writing in 1895 that "the Russian-English-French combination does not worry me. *Those* acorns will never grow into great oaks" (III, p. 482, n.1).

Holstein was a devoted admirer of Bismarck to whom he owed his position. Nevertheless, he came to fear and question the quality and handling of the great man's policy. The entry in the *Diaries* under the date of October 3, 1886 is revealing: "The period of greatness is over, as I have long realized. . . . His [Bismarck's] breadth of vision and his energy are gone, he is an unperceptive, unfeeling, timid old man, without memory, easily swayed; all he has left is a considerable dialectical skill in putting forward his often wrong-headed, constantly shifting views." The outcome, the Reinsurance Treaty of 1887, often regarded as the supreme manifestation of Bismarckian deftness, rates this comment: "Now, in order to win Russia back, he committed political bigamy" (I, p. 128). Holstein, firmly wedded to the Austrian connection, did not believe in the possibility of driving the Austro-Russian team in harmony. More dangerous perhaps, he came to consider himself a sounder interpreter of the true Bismarckian policy than its author himself. Also, though this is secondary if enlightening, a most unattractive picture of gross boorishness emerges of the entire Bismarck family.

We can also see how England was always a puzzle. The low estimate of Gladstone, the picture of English slothfulness and indecision, at times arousing itself to duplicity, was hardly a sound guide to Germany's approach to Britain. There is much of Hatzfeldt, a perceptive man, whose advice might with profit have received greater heed, thereby avoiding the dangerous German tendency to threaten and browbeat.

Not the least interesting aspect of these papers is the picture they give of a society and of a system. That after 1890 things took a turn for the worse is amply confirmed, and the share in the loss of direction that properly belongs to Germany's last Kaiser, William II, is fully illustrated. The appalling irresponsibility of the Emperor, evinced most markedly in his proneness to unguarded talk, caused his ministers many a troublesome passage; Holstein came to feel that he must be treated as a pathological case. The Kaiser's foolish stubbornness threatened the very fabric of the state for he had no conception of, nor regard for, the degree to which the deep-rooted forces of a changing society precluded the attempt to exercise outworn absolute prerogatives. There was much of solid value in pre-1914 Germany whose accomplishments were universally respected, if sometimes feared. But though to a lesser degree than is the case twenty

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years later one comes away from this lengthy work with something of the feeling that those whom the gods would destroy they first make mad.

RENÉ ALBRECHT-CARRIÉ

BARNARD COLLEGE

The Transformation of the School: Progressivism in American Education, 1876–1957. By LAWRENCE A. CREMIN. New York, Alfred A. Knopf, 1961.—xi, 387, xxiv pp. $6.50.

In his preface, the author defines his use of the term "progressive" in the history of education as "the educational phase of American Progressivism writ large" (p. viii). In Book I, titled "The Progressive Impulse in Education, 1876–1917," he then proceeds to describe a series of aspects of the history of American public school education that conform to his definition. The inaugural date of the book is that of the Philadelphia Centennial Exposition with its exhibit of Victor Della Vos' Russian instruction shop methods for vocational training. Preceding this account is a review of educational controversies of the late nineteenth century, with emphasis on Horace Mann, William Torrey Harris, and Joseph Mayer Rice. The Della Vos exhibit leads the author to an account of the introduction of manual training courses in American schools, the encouragement by business groups, and the gradual conversion of leaders of organized labor to such seeming competition with the apprenticeship system. The account of changes in education forced by the coming of huge numbers of immigrants is a genuine contribution, as is also the account of the reformation of instruction of farmers' children. The educational concerns of the Progressives of the early twentieth century are indicated; the impact of social Darwinism is emphasized anew; and the revolutionary influence of men such as G. Stanley Hall, William James, Edward L. Thorndike, John Dewey and others is recalled.

In Book II, titled "The Progressive Era in Education, 1917–1957," there is a distinct narrowing of conception of theme. In this second half of the volume, virtually a book unto itself, Professor Cremin gives us a truly fascinating account of the origins, career, and decline of the Progressive Education movement, especially of the Progressive Education Association, 1919–1955. In Chapter Six there is a brilliant account of the varied sources of this movement. One may take exception, perhaps, to the somewhat less than critical account of the career of Harold Rugg, but the ferment of educational thought of the twenties is effectively analyzed. The remaining three chapters of the book focus al-

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most entirely on the rapid rise and almost as rapid decline of the Progressive Education Association. The constructive accomplishments of this controversial organization are emphasized, particularly the Eight-Year Study under the direction of the Commission on the Relation of School and College. Professor Cremin states: "Long after the other efforts of the PEA have faded into history, its work may well remain as the Association's abiding contribution to the development of American education" (p. 251). The more controversial influence of George S. Counts and the Committee on Social and Economic Problems of which he was chairman is fairly described, and the more acceptable but conventionally Deweyan report of the Committee on Educational Philosophy is briefly analyzed. The author regards the period of the late thirties and early forties as the high point of the PEA, and deals only somewhat summarily with the period from 1944 until the death of the PEA. Attention is devoted in Chapter Eight to the impact of progressive education on education in the United States, particularly on certain private progressive preparatory schools—especially Lincoln School in New York, and on certain colleges—especially Bennington College in Vermont and the General College of the University of Minnesota. In the final chapter, Professor Cremin gives some account of the harsh attack on the Progressive Education movement in the 1950's, the end of the PEA in 1955, and the seeming end of an era in the history of American education.

One may take exception to the shift in the definition of progressive education from Book I to Book II, to the seeming lack of convincing relation of some of the movements in Book I to the main theme of Book II, and to the selectivity of emphasis out of the larger story of American education during the period covered. However, faced with a multiplicity of data, the author chose a manageable frame of reference, and the result, despite the limitations of this method, is a significant and highly readable book.

CARLTON C. QUALEY

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The Price of Prosperity. By PETER L. BERNSTEIN. Garden City, N. Y., Doubleday & Company, Inc., 1962.—xii, 273 page. $4.50.

Although the term does not appear in the index, Mr. Bernstein's interesting attempt to forecast the economic shape of the next decade in the United States actually centers on the once-fashionable doctrine of secular stagnation. In the 1930's, Alvin

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Hansen and his followers based their fears of long-run tendencies toward inadequate rates of economic growth upon the retardation of population increase, the closing of the western frontier, and the sluggishness in the rate of technological innovation. The case for stagnation in the 1960's rests on other foundations. In his severe assault upon the school of "arithmetic optimists," who are exemplified by the authors of *Fortune's The Markets of the 1960s,* Mr. Bernstein employs the same framework of national income accounting and expenditure analysis as do the optimists but with strikingly different consequences. We can indeed achieve in 1970 the $800 billion Gross National Product which full employment of men and resources will necessitate, in the sense that our resources and our knowledge are adequate to the challenge. But whether we *will* achieve such a GNP depends upon the adequacy of the community's demand for goods and services, for unless $800 billion worth of assorted commodities and services are demanded by individual consumers, business investors, and assorted levels of government, GNP will fall below the full employment target.

How adequate is total demand likely to be in 1970? In the most controversial sections of his lively volume, Mr. Bernstein argues that consumer demand is unlikely to increase at satisfactory rates and that investment, the dynamic element in economic change, is also likely to fall beneath full employment levels. Much of this analysis is based upon close examination of population and labor force projections. Some of it appears to assume if not satiability of consumer wants at least much diminished marginal appetites for new commodities and services. While it cannot be said that Mr. Bernstein's case is entirely compelling, it is only fair to suggest that the optimists have much less than a watertight demonstration of their own thesis that total demand will grow rapidly enough to employ fully the exceptionally large additions to the labor force which are in prospect in the next ten years.

Mr. Bernstein's remedy inevitably focuses upon government expenditure. Here he owes something to the Galbraith of *The Affluent Society,* although he does not accept Galbraith's argument that poverty as a mass problem has disappeared in America. And he owes a debt as well, which he fully acknowledges, to Francis Bator's *The Question of Government Spending.* The case for government spending is by now familiar: community services are lagging, the needs of the underdeveloped countries are enormous, education is starved for funds, urban renewal will absorb almost any quantity of resources, and the prejudice against public expenditure is mostly a matter of habit lag and

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deceptive private ideology. An expansion of government spending from its current $100 billion at all levels to $250 billion in 1970 will guarantee full employment and, at the same time, produce a large quantity of valuable goods and services which the community badly needs.

Mr. Bernstein touches but does not examine the question of whether increases like these are politically feasible and whether the ideological opposition of business interests to such a shift of resources can be overcome without disruption of normal business activity and decrease in private investment. If the remainder of his analysis is soundly conceived, this last question is the crucial one for the prospects of the American economy.

ROBERT LEKACHMAN

BARNARD COLLEGE

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BOOK NOTES

The purpose of *The Limits of Defense,* by Arthur I. Waskow (Garden City, N.Y., Doubleday and Company, Inc., 1962; 119 pp., $2.95), is to provide a solution of the present world ills which raise the likelihood of a nuclear holocaust and curtailment of individual liberty. After a discussion of the counter-force strategy, the balanced deterrent, the present military strategy of the United States ("The Mix"), and the views advocating arms control, Mr. Waskow proposes his own formula which he calls "disarmament-plus." He advocates that the United States should seize the initiative in reducing tension in the world in such a way as to induce the Soviet bloc to reciprocate. This initiative should be primarily in the areas of arms control, arms reduction, and troops withdrawal. The initial stages of this policy should be such as to produce minimal jeopardy to American security. Eventually, multilateral agreements will follow and a disarmed world with an international police force will become a reality, resulting in a release of resources for enhancing human well-being and liberty. While a number of observations made by the author are interesting and deserve attention, the proposal as such raises a question about its practicality. The author appears to assume that tension and mistrust are the cause of the present world difficulties, which may be an oversimplification. Also, there is no one-to-one relationship between the release of resources from armaments and human well-being; if nothing else, arms control inspection itself may prove to be quite costly. Finally, Mr. Waskow's formula for America's defense in a disarmed world through Civilian Resistance—a mass-trained population for local defense—does not provide a very convincing solution for the enhancement of individual liberty.—VICTOR BASIUK, Columbia University.

That the Federalist party did not expire in 1800, nor even after the Hartford Convention, but lived on until the election of Jackson to the presidency is amply demonstrated by Shaw Livermore, Jr., in his *Twilight of Federalism: The Disintegration of the Federalist Party, 1815–1830* (Princeton, Princeton University Press, 1962; ix, 292 pp., $6.00), a careful study of the activities of many leading Federalists during these years. It is true that the Federalist party never exerted major influence on the country's political development after 1800, yet large numbers of Federalists maintained their political identity and, at least in name,

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their loyalty to Federalist principles. "The purpose of this study," we are told, "has been to uncover the role of this remaining core while the country awaited the slow re-emergence of a two-party system." Mr. Livermore unfolds an interesting canvas. Jeffersonians adopted many Federalist principles, especially after 1815. Federalists, on the other hand, in their desperate search for political opportunity, often negated the very principles they proclaimed. The opposition, from Jefferson through John Quincy Adams, effectively proscribed Federalists from political preferment. Mr. Livermore points out, for example, that John Quincy Adams appointed but a single Federalist to a position of political importance, and that Jefferson and Madison did not extend even this much recognition. Increasingly after 1816 Federalists came to recognize the inevitable collapse of their party and sought, through a variety of stratagems, means by which they could break the proscription. They frequently sided with the minority when the Jeffersonian party split; they, or many of them, "buttered up" Madison and especially Monroe; the rivalry between Van Buren and Clinton for political leadership in New York found Federalists siding with both groups; they were active in the hotly contested election of 1824. This volume is especially helpful in connection with the Missouri Question, the concept of a Universal Yankee Nation, the election of 1824 and the rivalry between Jackson and Adams. Seldom has the role of Daniel Webster in the political maneuverings between 1824 and 1828 been so carefully and so concisely presented. Critical research into the correspondence of Federalist leaders and the few Federalist newspapers has made it possible for the author to delineate the activities of Federalist politicians at the same time that he reveals the essential dilemma of their position. Any reader will gain a real understanding of Federalist principles, Federalist political weakness, and, finally, of the manner in which "Jackson's crushing victory in 1828 cleared the way for the re-emergence of two-party government in America."—RALPH ADAMS BROWN, State University of New York, College at Cortland.

The publications of the Hoover Institution on War, Revolution, and Peace have a well-deserved reputation for objectivity and skillful editing. *The Russian Provisional Government 1917,* documents selected and edited by Robert Paul Browder and Alexander F. Kerensky, three volumes (Stanford, Stanford University Press, 1961; xxx, 1875 pp., $30.00), however, is in a class of its own. Kerensky, cast in the unfamiliar part of editor, states that the Provisional Government has not been fairly treated by the historians because of Soviet "falsifications" and of "over-

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reliance" by non-Soviet writers "on the pseudo-scientific materials published in Moscow." He claims that "the importance of these volumes cannot be overemphasized." Dr. W. G. Campbell, director of the Institution, hopes that the documents "will . . . correct many misconceptions about the past as well as to provide new perspectives in this important phase of Russian history." These expectations are not likely to be fulfilled. The usefulness of this very expensive publication resides chiefly in making available in English the actual documents which were formerly accessible only to those familiar with the Russian language. Otherwise, the collection does not seem to contain anything—and certainly nothing of importance—that would not be familiar to students of the Russian revolution. There are significant omissions which perhaps should be explained by the object the editors had in view. This may also be the reason why the editors, while lamenting the pressure on their space, include lengthy excerpts from printed material long available in English, including Kerensky's own writings. "Taken by itself the work of the Provisional Government does not count in the evolution of the Russian state," Baron B. E. Nolde, a distinguished historian and a participant in the events of 1917, wrote thirty-five years ago. "One thinks of it as one thinks of years of youth filled with disorders, idealistic concepts, and generous impulses never realized. The two historical phenomena at the beginning and at the end of the period of the Provisional Government are far more important than these nebulous dreams and sterile and disorderly motions." The Hoover Institution documents, the efforts of their Editors notwithstanding, would seem to confirm this appraisal. The bibliography is selective, the chronology useful. *The Bolshevik Revolution, 1917–1918: Documents and Materials,* by James Bunyan and H. H. Fisher (Stanford, Stanford University Press, 1961; xii, 735 pp., $10.00), is the reprint of a well-known collection first published in 1934. It deserves warm welcome.—MICHAEL T. FLORINSKY, Columbia University.

American History: Recent Interpretations (New York, Thomas Y. Crowell Co., 1962; 2 vols., 1056 pp., $3.75/vol.), edited by Abraham S. Eisenstadt, is another book of readings, bound in paper covers and designed for use in undergraduate survey courses. Where collections of historical "documents" seem designed merely to supplement the conventional text, collections like this one, which contain not primary but secondary sources, juxtaposed so as to introduce the student to conflicting interpretations of history, suggest an intent to supplant textbooks altogether, though the editor denies any such purpose. The appearance of a number of

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such collections may nevertheless represent a rather tentative step toward the teaching of historiography at the beginning rather than at the end of the college curriculum (when it is taught at all). Whether they are yet in very wide use is not clear; it seems unlikely, in view of the proliferation of old-style texts. For many teachers of history, cutting loose from the "facts" at any level of instruction is still a heresy. Such books as this, however —providing they are well done—are surely to be preferred to the standard text (though they are no substitute for original books which will attempt to explain historiographical controversies instead of merely reprinting them). The text, after all, offers its own interpretations, usually pretty crude ones, under the guise of impartial narrative; thus it is not only crude but misleading as well. "Readings" are at least avowedly interpretive and controversial. Their usefulness in collected form, in fact, depends on the editor's willingness to emphasize the controversial nature of the interpretations in question. In the present case, the editor has unfortunately shied away from doing that. He gives a great deal of conventional "coverage" and not much controversy. Indeed, he has really done no more than arrange a group of readings in the chronological order of the subjects with which they deal. He has made no effort to find selections that present opposing views of the same question. He leaves Jacksonian democracy to Bray Hammond, without mentioning the conflicting views of Mr. Schlesinger, and he leaves the New Deal to Mr. Schlesinger and others who share his point of view, without giving space to *their* critics. The result is only superficially a book of readings. It is really a textbook, written by many authors instead of by one. The selections, moreover, are too short—most of them no more than snippets from longer works. The effect is disjointed; these volumes fail even at the narrative level.—CHRISTOPHER LASCH, University of Iowa.

Abba P. Lerner's latest book, *Everybody's Business* (East Lansing, Michigan State University Press, 1961; 134 pp., $3.75), is an expansion of ten radio talks originally delivered in 1950. It is possible to doubt whether Professor Lerner's lay audience was completely successful in following this cogent exposition of how the marginal principle allocates resources in competitive commodity and factor markets, how monopoly interferes with efficient flows of resources, how inflation is caused, how the national debt is to be understood, and how governments can control both depression and boom. Actually, Mr. Lerner has not rested content with a conventional Marshallian and Keynesian explanation

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of micro- and macro-economics. He has included a provocative version of a plan which he has advocated elsewhere for the control of the variety of inflation which he has come to believe is most menacing— seller's inflation caused by strong pressures to raise wages and prices. Professor Lerner proposes to establish a regulatory body which should permit price increases in concentrated industries only when production and sales are at capacity, compel price decreases when sales are slack, allow general wage increases at rates equal to general productivity increases, grant larger wage increases only when administered labor markets are tight, and hold wages unchanged when labor markets are slack. Recent events in the steel industry lend a highly current relevance to this plan. This little volume deserves two audiences: the first might well be its author's colleagues in the other social sciences and the second should be composed of advanced students of economics who will find the volume a handy check list of topics whose mastery they need to have acquired. That mythical figure, the general reader, is likely to find a good deal of the material hard going.—ROBERT LEKACHMAN, Barnard College.

Publication of the second edition of *National Party Platforms, 1840–1960,* edited by Kirk H. Porter and Donald Bruce Johnson (Urbana, University of Illinois Press, 1961; xi, 640 pp., $10.00), again makes available a basic reference source for students of American history and politics. To the verbatim platforms included in the earlier edition, which covered 1840–1956, the new edition adds the platforms of the two major and four minor parties for 1960. Since conventions, platforms, and presidential elections recur every four years one might raise the question of whether the platform material should not be put on a continuing supplementary basis, as the *America Votes* series (edited by Richard M. Scammon) does in the field of election statistics. Fortunately, the University of Illinois Press has indicated plans to do exactly this. A paperbound brochure will be published to provide the platform statements of 1964, 1968, and subsequent election years (but not for 1960). This will permit libraries and interested scholars to supplement this basic historical reference work with future platforms as the years go by. For students of American politics in general, and of the minor parties in particular, this is an important service for which the editors and publishers deserve thanks.—HUGH DOUGLAS PRICE, Columbia University.

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IN MEMORIAM: LEO WOLMAN, 1890–1961

Leo Wolman was one of that handful of economists who established industrial relations as a subject worthy of serious major consideration in the academic world and in the world of affairs.

Born in Baltimore of Polish immigrants in 1890, he did distinguished undergraduate and graduate work at Johns Hopkins (B.A. 1911, Ph.D. 1914). He was both elected to Phi Beta Kappa, and given a fellowship. His interest in mathematics, which he offered as the minor for the doctorate, helped considerably in making him a leading statistician of the labor movement. After completing his still widely used doctoral thesis, *The Boycott in American Trade Unions,* he was a teacher at several institutions before he was called to Columbia in 1931. There he was a stimulating lecturer and a skillful guide of research for over twenty-five years.

During his whole career, Wolman combined with academic and research activities the function of an economic adviser to labor, business and government. Thus in 1931, he was Chairman of the Interstate Commission on Unemployment Insurance, promoted by Governor Roosevelt. When Roosevelt moved to the White House, Wolman was appointed Chairman of the Labor Advisory Board of the National Industrial Recovery Administration. At the end of 1933, he became a member of the newly created National Labor Board. The following year he served as Chairman of the National Automobile Labor Board to mediate labor disputes in the pivotal auto industry.

Wolman was closely associated with outstanding research organizations. Almost from its birth he was on the staff of the National Bureau of Economic Research; in later years he was also a member of the Economic Advisory Council of the National Industrial Conference Board. He was among the early promoters of quantitative analysis, especially in the study of industrial relations. In 1917, he wrote that: "Recognition is at last, if grudgingly, being given to the fact that discussions of the influence of economic forces and tendencies are of great or little value in proportion as there exists some numerical measure of the strength or extent of these forces." This view led to his authoritative studies of trade union membership: *The Growth of American Trade Unions: 1886–1923* (1924) and *Ebb and Flow in Trade Unionism (1936).* He had a fruitful interest also in social insurance, in which he established one of the first courses in the country, at the University of Michigan in 1916.

Revealing his gifts as a broad-gauged economist were his contributions to the three influential surveys—*Business Cycles and Unemployment* (1923), *Recent Economic Changes* (1929), and

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Recent Social Trends (1933)—sponsored by Herbert Hoover, which provided much of the factual foundations for national economic policy for successive administrations. Serving as supplement were his illuminating essays in the *Encyclopaedia of the Social Sciences* on "The Garment Industry," and on "Industrial Relations."

While Director of Research for the Amalgamated Clothing Workers of America from 1920 to 1931, Wolman played a creative role in instilling in trade unions an appreciation of economists and economic research, and the need of continuous cooperative arrangements with employers to improve methods of collective bargaining and to effect substantial reforms in industrial management.

Wolman quickly reached a position in the industry where he was treated at least as an equal by employers and union leaders; in fact, he was *primus inter pares*. He was largely the architect of the pioneering voluntary joint contributory scheme of unemployment insurance which was first established by the Amalgamated Clothing Workers and the employers in Chicago. He also impressed upon the union that it should be concerned with efficient production. He taught it that if good wages were to be maintained, the industry must be efficient and profitable. This resulted in the union sending efficiency experts to show employers in distress how they could improve their operations, and thus pay decent wages. He was also proud of the fact that the union was the first labor organization in the country to promote—and on a vast scale—the building of low-cost cooperative housing, and the result is that the clothing unions have been responsible for almost one half billion dollars of existing housing in New York City.

Wolman became such a national figure in the promotion of sound labor laws, especially compulsory unemployment insurance, that he was elected president in 1934 of the American Association for Labor Legislation. He always held that such legislation must be very moderate and carefully limited, lest it lead to the extravagance and waste of uncontrolled spending of poor law relief. For example, he warned in 1928 that British practice had unfortunately relaxed the sound principle of their legislation and thereby perpetuated the existence of areas of unemployment. Similarly, while he maintained that the expansion of public works would be of some use in relieving depression unemployment, he warned in his comprehensive *Planning and Control of Public Works* (1931) that it could not be a major remedy, and the doubts he then expressed are still worthy of serious consideration.

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When organized labor ceased to be the "underdog," and acted in a manner that seemed to Wolman reminiscent of the "monopolistic abuses" of some businesses, he became a sharp critic of such practices.

He remained basically consistent with the liberal tradition in which he had been reared. While he strenuously opposed the Communist Party and its activities in all its manifold ramifications, he disliked the Taft-Hartley Act provision that union officials seeking to use the services of the National Labor Relations Board file affidavits that they were not communists. He took this stand on the basis of his general philosophy of opposition to "making people sign guarantees about their opinions if they are to perform their functions as citizens."

Leo Wolman possessed the sensitivity of the accomplished pianist that he was, and he could become quite passionate about his beliefs; yet he showed an unusual degree of tolerance for opposite views, provided they were backed by scholarship. His kind of labor economist is far too rare at any time.

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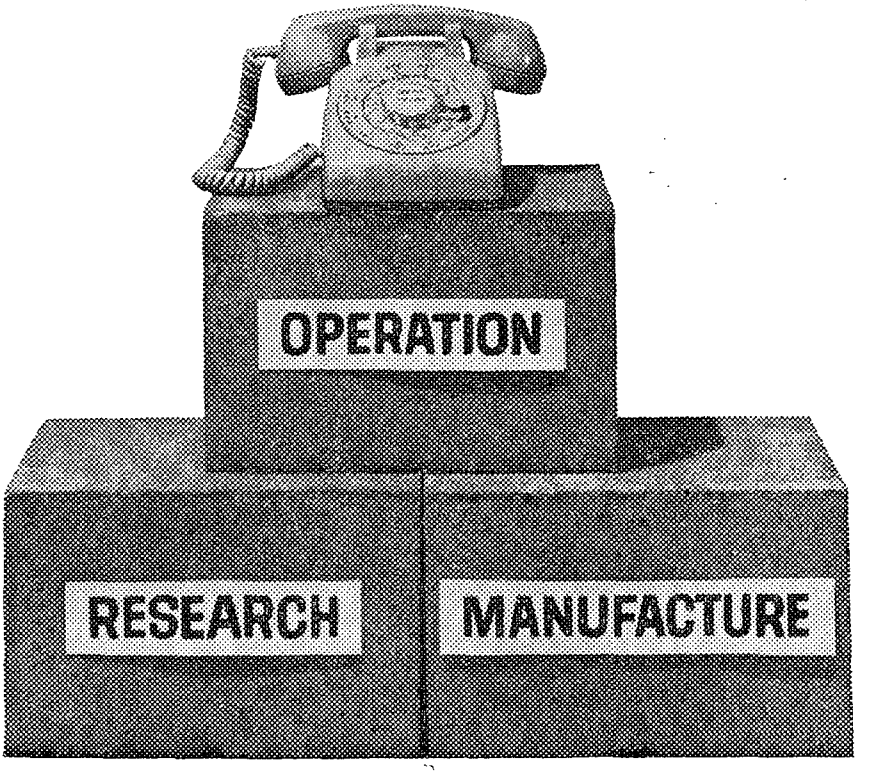

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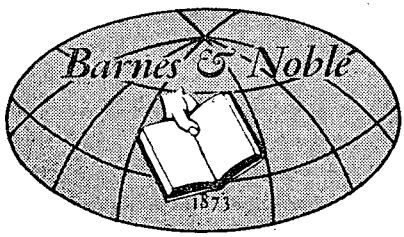

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. . . Announcement . . .

To the Members of the Academy:

In accordance with the provisions of the By-laws, notice is hereby given that the Board of Directors has fixed the date, Monday, January 21, 1963, on which the Annual Corporate Meeting of the Academy will be held in the office of the Academy of Political Science, Room 411, Fayerweather Hall, Columbia University, New York City, at 4 P.M. promptly.

This is the annual meeting for the transaction of all business of the Academy. The President's Annual Report will be presented at this time.

JOHN A. KROUT, *Secretary*

THE ACADEMY OF POLITICAL SCIENCE
Columbia University
New York 27, N. Y.

This will be the only notice of the Annual Corporate Meeting

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